

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**

**OF THE**  
**STATE OF LOUISIANA**

**TWENTY-SIXTH DAY'S PROCEEDINGS**

**Twenty-ninth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, May 19, 2003

The House of Representatives was called to order at 2:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell

Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—105

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Quezaire.

**Pledge of Allegiance**

Rep. Baldone led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of May 15, 2003, was adopted.

**Petitions, Memorials and**  
**Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**ASKING CONCURRENCE IN**  
**SENATE CONCURRENT RESOLUTIONS**

May 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 57 and 65

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 174, 387, 818, 919, 929, 1057, and 1080

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Heaton, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 174—

BY SENATOR HAINKEL

##### AN ACT

To amend and reenact R.S. 30:2157(A) and to enact R.S. 30:2157.1, relative to environmental quality; to provide for changes in emergency response standards for permits for a type 2 and a type 3 solid disposal facility; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 387—

BY SENATOR SCHEDLER

##### AN ACT

To amend and reenact R. S. 46:236.1(I)(2), relative to child support programs; to provide relative to the collection of child support obligations; to provide relative to interception of federal tax refunds; to add certain situations to the authority for such intercepts; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 818—

BY SENATOR B. JONES (On Recommendation of the La State Law Institute)

##### AN ACT

To amend and reenact Code of Civil Procedure Arts. 42(5), 561(A), 932, 933, 934, 967, 1201(A), 1424, 1425, 1436.1, 1443, 1455, 1914, and 3295, and Children's Code Art.332, relative to the continuous revision of the Code of Civil Procedure; to provide venue for actions against certain foreign corporations, limited liability companies, and non-residents; to provide for abandonment of actions; to provide for the effect of sustaining declinatory, dilatory, and peremptory exceptions; to provide for citation and service; to provide for interlocutory judgments, notice and delay; to provide for giving in payment; to provide for experts, discovery and depositions; to provide for affidavits of experts in summary judgments; to remove restrictions on discovery of testifying expert witnesses; to allow a court to order a deposition by phone over objection of one or more parties; to provide deposition procedure; to provide for notice of judgment in the Children's Code and reference therein to the Code of Civil Procedure; and, to provide for related matters.

Read by title.

#### SENATE BILL NO. 919—

BY SENATOR MALONE

##### AN ACT

To amend and reenact R.S. 27:15(B)(1) and 31(A)(1); to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451, and to repeal Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature, relative to Indian gaming compacts; to provide a procedure for negotiation and approval of such compacts; to provide relative to approval authority; to provide relative to the terms of such compacts; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 929—

BY SENATOR HAINKEL

##### AN ACT

To enact Part XV of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4780 through 4785, relative to boats and boating; to provide with respect to the "Marina and Boatyard Storage Act"; to provide definitions; to provide with respect to the creation of a privilege on movable property stored in marinas and boatyards for the payment of rent due and other charges; to provide for exclusions; to provide with respect to notice of privilege; to provide for the enforcement of the privilege by sale or other disposition; to provide for an effective date; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 1057—

BY SENATOR LENTINI

##### AN ACT

To enact R.S. 15:262, relative to compulsory process; to provide relative to certain witnesses; to authorize certain law enforcement agencies to provide for the security of such witnesses; to provide for definitions; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 1080—

BY SENATOR ELLINGTON

##### AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to prohibit incentives for tires processed outside of Louisiana; and to provide for related matters.

Read by title.

### Privileged Report of the Legislative Bureau

May 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 256  
Reported without amendments.

Senate Bill No. 365  
Reported without amendments.

Senate Bill No. 471  
Reported with amendments.

Senate Bill No. 581  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE RESOLUTION NO. 62— BY REPRESENTATIVE HONEY

##### A RESOLUTION

To commend the Southern University Men's Baseball team on winning their third straight Southwestern Athletic Conference Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was adopted.

#### HOUSE RESOLUTION NO. 63— BY REPRESENTATIVE HONEY

##### A RESOLUTION

To commend the Southern University Women's Softball team on winning the Southwestern Athletic Conference Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was adopted.

#### HOUSE RESOLUTION NO. 64— BY REPRESENTATIVE PINAC

##### A RESOLUTION

To commend Kristina Rachelle Trahan of Northside Christian School on her being named one of Crowley's Outstanding Young Citizens of 2003.

Read by title.

On motion of Rep. Pinac, and under a suspension of the rules, the resolution was adopted.

### Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 71— BY SENATOR SCHEDLER

##### A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

#### SENATE BILL NO. 62— BY SENATOR MCPHERSON

##### AN ACT

To amend and reenact Code of Civil Procedure Art. 4501, relative to representation of minors; to authorize the mother to represent the minor in certain circumstances; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

#### SENATE BILL NO. 190— BY SENATOR BOISSIERE

##### AN ACT

To amend and reenact R.S. 11:701(28), 723(A)(1), 728(A) and (B)(1)(a)(ii), and 783(D)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to monthly retirement benefits paid in advance; to provide with respect to selection of option for method of payment after death of member; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

#### SENATE BILL NO. 349— BY SENATOR HOLDEN

##### AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of Community and Technical Colleges and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

#### SENATE BILL NO. 372— BY SENATOR SCHEDLER

##### AN ACT

To amend and reenact R.S. 15:587(B), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to finger printing services by such bureau under certain circumstances; to authorize fees for such services; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

#### SENATE BILL NO. 385— BY SENATOR SCHEDLER

##### AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and repeal R.S. 40:40(7), relative to fees for certified copies of vital records; to provide for an increase in the fee for the issuance of an initial death certificate issued to a funeral director; to provide for burial transit

## Page 4 HOUSE

26th Day's Proceedings - May 19, 2003

permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to repeal the fee for the issuance of a burial permit; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

#### SENATE BILL NO. 388—

BY SENATORS SCHEDLER, BAJOE, C. JONES AND HOLDEN  
AN ACT

To enact R.S. 46:153.3(C), relative to medical vendor reimbursements; to prohibit restrictions on the prescribing of atypical antipsychotic drugs for Louisiana Medicaid recipients; to prohibit restrictions of prescription drugs for those Medicaid recipients who are diagnosed with HIV/AIDS; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

#### SENATE BILL NO. 480—

BY SENATOR CHAISSON

#### AN ACT

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to limit certain exemptions from such registration to a pardon by the governor; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

#### SENATE BILL NO. 502—

BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

#### SENATE BILL NO. 593—

BY SENATOR SCHEDLER

#### AN ACT

To enact R.S. 44:3(A)(7), relative to public records; to provide that certain records or information contained therein which are in the custody of the Louisiana Bureau of Criminal Identification and Information shall not be subject to disclosure; to provide for exceptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

#### SENATE BILL NO. 660—

BY SENATOR HEITMEIER

#### AN ACT

To amend and reenact R.S. 14:95(G)(3)(a), relative to offenses affecting the public safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active and retired reserve or auxiliary law enforcement officers who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

#### SENATE BILL NO. 707—

BY SENATOR SMITH

#### AN ACT

To amend and reenact R.S. 3:262(C), 264(H), 266(20), 270(A), 1317(3), 1907(C), and 3210(C)(4), relative to the Louisiana Agricultural Finance Authority; to provide for its meeting requirements and its authority; to provide for authority to acquire, construct, renovate, and equip certain buildings; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

#### SENATE BILL NO. 723—

BY SENATORS HAINKEL AND HOYT

#### AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), and (6) and to enact R.S. 11:2260(A)(2)(g) and (h) and to repeal R.S. 11:2260(A)(2)(d), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

#### SENATE BILL NO. 828—

BY SENATOR BOISSIERE

#### AN ACT

To amend and reenact R.S. 27:353(4), 361(C), and 392(B)(2)(b), (3)(a), (b), and (c)(i), and (4), and (6) and to enact R.S. 27:363(C), 372.1 and 392(B)(3)(d), relative to Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with respect to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to create the Bossier Parish Truancy Program Fund; to provide with respect to the allocation of revenue from facilities in certain parishes; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 949—**  
BY SENATOR SCHEDLER

## AN ACT

To amend and reenact Civil Code Arts. 573 and 1514, to enact R.S. 9:1202, and to repeal Code of Civil Procedure Art. 3154.1, relative to security for a surviving spouse; to provide for forms of security for legal usufruct of a surviving spouse; to provide for dispensation of security of a surviving spouse; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**SENATE BILL NO. 957—**

BY SENATORS CRAVINS, BAJOE, C. JONES, LENTINI, MICHOT, MOUNT, BOISSIERE, HOLLIS, CHAISSON, FIELDS, HOLDEN, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, THOMAS, ADLEY, BARHAM, CAIN, DARDENE, DEAN, DUPRE, ELLINGTON, GAUTREAUX, HEITMEIER, HINES, HOYT, JOHNSON, LAMBERT, MALONE, MCPHERSON, ROMERO, SMITH AND ULLO AND REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLAUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND AND WELCH

## AN ACT

To amend and reenact R.S. 46:2601(A)(1) and 2603(A) and (B)(2), to enact Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, and R.S. 46:2605.1, 2605.2, 2605.3, and 2605.4, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to juvenile justice; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Bruneau, the bill was returned to the calendar.

**SENATE BILL NO. 963—**

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

## AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 969—**

BY SENATOR BOISSIERE

## AN ACT

To repeal Section 3 of Act 734 of the 1999 Regular Session, relative to written motions; to provide with respect to special motion to strike; to remove certain reporting duties of the Judicial Council relative thereto; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**SENATE BILL NO. 1027—**

BY SENATOR JOHNSON

## AN ACT

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 1046—**

BY SENATOR B. JONES

## AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:135 through 135.7, relative to expropriation; to authorize expropriation of property by a declaration of taking by municipalities with a population between twenty thousand five hundred twenty-five and twenty thousand five hundred fifty; to provide for definitions; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**SENATE BILL NO. 1115—**

BY SENATOR ELLINGTON

## AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

## Page 6 HOUSE

26th Day's Proceedings - May 19, 2003

### **SENATE BILL NO. 1119—** BY SENATOR SCHEDLER

#### **AN ACT**

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, Section 2.1, and Section 9 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; to provide for authority to levy a sales and use tax; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **SENATE BILL NO. 1121—** BY SENATOR DUPRE

#### **AN ACT**

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### **Motion**

On motion of Rep. Welch, the Committee on Transportation, Highways and Public Works was discharged from further consideration of Senate Bill No. 953.

### **SENATE BILL NO. 953—** BY SENATORS DARDENNE, FIELDS AND FONTENOT

#### **AN ACT**

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in certain parishes; and to provide for related matters.

Read by title.

#### **Motion**

Rep. Welch moved that Senate Bill No. 953 be designated as a duplicate of House Bill No. 458.

Which motion was agreed to.

#### **Motion**

On motion of Rep. Welch, the above bill was referred to the Legislative Bureau.

### **House and House Concurrent Resolutions Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

#### **HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, AND RICHMOND AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, AND MOUNT

#### **A CONCURRENT RESOLUTION**

To propose a plan for juvenile justice reform in the state of Louisiana by establishing a comprehensive strategy and directing action for implementation.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Concurrent Resolution No. 56 by Representative Landrieu

#### **AMENDMENT NO. 1**

On page 6, line 52, after "that the" and before "recommendations" delete "following"

#### **AMENDMENT NO. 2**

On page 7, at the end of line 2, after "Session" change the colon ":" to a "period" "."

#### **AMENDMENT NO. 3**

On page 7, delete lines 3 through 52 in their entirety

#### **AMENDMENT NO. 4**

On page 8, delete lines 1 through 11 in their entirety

#### **AMENDMENT NO. 5**

On page 8, line 17, after "by" and before "by" change "July 1, 2004," to "August 1, 2004,"

#### **AMENDMENT NO. 6**

On page 13, between lines 17 and 19, insert the following:

"Mandatory Sentencing. The Children's Code Committee of the Louisiana State Law Institute is directed to study and make recommendations regarding the issue of mandatory sentencing of juveniles pursuant to the provisions of the Children's Code Article 897.1.

Waiver of Right to Counsel. The Children's Code Committee of the Louisiana State Law Institute is directed to study and make recommendations regarding the issue of waiver of right to counsel pursuant to the provisions of the Children's Code Article 810."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the resolution, as amended, was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 139—**

BY REPRESENTATIVES WINSTON AND FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on the family law topics of child custody and child support guidelines.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Concurrent Resolution No. 139 by Representative Winston

**AMENDMENT NO. 1**

On page 2, line 10, after "desires" and before "members" delete "that all"

**AMENDMENT NO. 2**

On page 2, line 11, after "judiciary" and before "be" delete the comma "," and change "not just the family and juvenile court judges, to" to "who exercise jurisdiction over family and juvenile matters"

**AMENDMENT NO. 3**

On page 2, at the beginning of line 17, before "apprised" delete "entire judiciary of this state is" and insert in lieu thereof "members of the judiciary who exercise family and juvenile jurisdiction in this state are"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the resolution, as amended, was ordered engrossed and passed to its third reading.

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 105—**

BY REPRESENTATIVE PITRE

**A JOINT RESOLUTION**

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 151—**

BY REPRESENTATIVE PITRE

**AN ACT**

To provide for the calling of a constitutional convention; to provide for the qualifications and election of delegates thereto; to fix the time and place for the organizational session of the convention; to provide for the organization of the convention; to provide relative to restrictions on the convention; to provide for certain actions by the legislature; to provide for penalties for violations relating to elections; to provide with respect to the disbursement of funds appropriated for the convention; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 204—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 11:710(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to reemployment of retirees; to relieve certain retirees reemployed in part-time positions with the Louisiana High School Athletic Association from making contributions to the system; to relieve the association from making employer contributions on behalf of any such retiree; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 204 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 4, after "relieve" delete the remainder of the line and insert in lieu thereof "certain retirees reemployed in part-time positions"

**AMENDMENT NO. 2**

On page 1, line 7, after "retiree;" and before "and" insert "to provide for an effective date;"

**AMENDMENT NO. 3**

On page 2, at the end of line 9, delete "the" and at the beginning of line 10 delete "reemployment of any retiree" and insert in lieu thereof "any retiree reemployed"

**AMENDMENT NO. 4**

On page 2, at the end of line 11, delete the period "." and insert in lieu thereof "on the effective date of this Paragraph."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

## Page 8 HOUSE

26th Day's Proceedings - May 19, 2003

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 205—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:221(A)(2) and (C), relative to the Municipal Police Employees' Retirement System; to provide relative to modification of benefits as a result of earned income attributable to gainful employment; to provide relative to earnings statements; to relieve certain disability retirees from earnings limitations and from submitting annual income statements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 217—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2223(A) and (B)(1) and to enact R.S. 11:2214(A)(2)(d) and (e), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the system; to provide for physical examinations; to establish deadlines for submission of certain forms; to require submission of waivers for preexisting conditions; to provide eligibility criteria for disability benefits; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 219—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(a), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the retirement system; to remove the age limitation on membership for certain elected chiefs; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 219 by Representative Montgomery

#### AMENDMENT NO. 1

On page 1, at the end of line 4, delete the semicolon ";" and delete line 5 in its entirety and insert in lieu thereof "for certain elected chiefs;"

#### AMENDMENT NO. 2

On page 2, at the end of line 4, insert a comma "," and "provided he is under fifty years of age at the date of employment."

#### AMENDMENT NO. 3

On page 2, delete lines 6 through 12 in their entirety and insert in lieu thereof:

"(ii) Any person who is elected to the position of chief of police on or after July 1, 2003, and before July 1, 2004, shall become a member of the system regardless of age."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 232—

BY REPRESENTATIVE FUTRELL  
AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph), (1)(introductory paragraph), and (2)(a), relative to sex offender registration and notification; to require sex offenders to provide a description of their physical characteristics; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 243—

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Children's Code Articles 424.1(A), 1015(7), 1101, and 1193(introductory paragraph); to enact Chapter 13 of Title XI of the Children's Code, to be comprised of Articles 1149 through 1160; and to repeal Children's Code Articles 1701 through 1706, relative to safe haven relinquishments of infants; to provide for CASA appointments; to provide for defenses to prosecution; to provide for emergency care facility responsibilities; to provide for medical evaluations of the infant; to provide for hearings for parents to reclaim parental rights; to provide procedures when a non-relinquishing parent cannot be identified; to provide procedural safeguards; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed House Bill No. 243 by Representative Ansardi

#### AMENDMENT NO. 1

On page 1, line 9, change "parent" to "parents"



AMENDMENT NO. 2

On page 5, delete lines 1 through 23 and insert:

"B. The department shall create a card that will be supplied to designated emergency care facilities, which shall be provided to the individual relinquishing an infant into the care of a designated emergency care facility. The card shall contain a toll free number to the department and a section on the card for the designated emergency care facility to provide their address and contact information.

C. In the event that the relinquishing parent makes contact with the department or the designated emergency care facility, the relinquishing parent shall be asked to voluntarily provide information about any prenatal care and the name of the other parent."

AMENDMENT NO. 3

On page 5, line 24, change "E." to "D."

AMENDMENT NO. 4

On page 6, line 2, change "necessary" to "voluntary"

AMENDMENT NO. 5

On page 6, line 9, change "G." to "E."

AMENDMENT NO. 6

On page 6, line 12, change "H." to "F."

AMENDMENT NO. 7

On page 6, line 14, change "I." to "G."

AMENDMENT NO. 8

On page 16, delete lines 17 through 22

AMENDMENT NO. 9

On page 16, line 23, change "(5)" to "(3)"

AMENDMENT NO. 10

On page 16, line 27, change "(6)" to "(4)"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 244—**

BY REPRESENTATIVE LUCAS

AN ACT

To enact R.S. 33:2828, relative to the parish of Orleans and the city of New Orleans; to establish the St. Claude Avenue Economically Disadvantaged Enterprise Zone; to specify the boundaries of the zone; to authorize the city of New Orleans to grant tax exemptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 247—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2223(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to disabilities received in the performance of official duties; to include blindness and loss of a limb as service-related disabilities for which a benefit equal to a member's final average compensation is payable; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 247 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 10, after "after" and before "in" delete "January 1, 2001," and insert in lieu thereof "July 1, 2003."

AMENDMENT NO. 2

On page 2, line 13, after "compensation" delete the semicolon ";" and delete the remainder of the line and delete line 14 in its entirety and insert in lieu thereof a period "."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 248—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 13:3886(A) and (B)(1) and R.S. 33:1428(A)(1), (6), (12)(a) and (d), and (13)(c) and (e), relative to fees of office for services and duties of sheriffs in civil matters; to provide for fees of office for service in certain civil matters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 248 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "(e)" delete the remainder of the line

AMENDMENT NO. 2

## Page 10 HOUSE

26th Day's Proceedings - May 19, 2003

On page 1, at the beginning of line 4, before the comma ",", delete "33:1428(A)(15)"

### AMENDMENT NO. 3

On page 1, line 6, after "matters;" delete the remainder of the line

### AMENDMENT NO. 4

On page 1, line 7, before "and to" delete "and costs for removal of certain hazardous property;"

### AMENDMENT NO. 5

On page 2, line 15, after "reenacted" delete the remainder of the line

### AMENDMENT NO. 6

On page 2, line 20, after For" and before "returns" delete "all service of process or attempts of service, and" and insert in lieu thereof "receiving, serving, and making"

### AMENDMENT NO. 7

On page 3, at the end of line 7, after "ejectment" and before the comma ",", insert "pursuant to R.S. 13:4346"

### AMENDMENT NO. 8

On page 3, line 8, change "seventy-five" to "fifty"

### AMENDMENT NO. 9

On page 3, line 16, after "may" and before "cause" insert "order the party who caused the writ of possession or ejectment to be issued to remove and dispose of such property in a proper manner. If the party who caused the writ to be issued does not comply with such an order prior to the sheriff's completion of the execution of the writ and the sheriff vacating the premises, the sheriff may"

### AMENDMENT NO. 10

On page 4, at the beginning of line 8, before "incurred " change "commissions," to "commission"

### AMENDMENT NO. 11

On page 4, line 8, after "seizure" and before the period "." insert a comma ",", and add "which commission shall be based exclusively upon the forbearance amount collected in any bankruptcy reorganization plan filed under either Chapters 11 or 13 of the United States Code. No commission shall be collected in the event that the debtor is discharged in bankruptcy under Chapter 7 of the United States Code."

### AMENDMENT NO. 12

On page 4, delete lines 10 through 17 in their entirety

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 259—**

BY REPRESENTATIVE WINSTON

### **AN ACT**

To amend and reenact R.S. 17:3021 and R.S. 36:642(D)(2), to enact R.S. 17:3048.2(F) and (G), and to repeal R.S. 17:3023(B), 3023.8.1, 3026, 3027, 3028, 3030, 3036, 3036.1, Chapter 20-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3041 through 3041.7, Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.11 through 3042.14, Chapter 20-B-3 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.31 through 3042.36, and Chapter 20-C of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3043 through 3043.2, all relative to the administrative powers and duties of the Louisiana Student Financial Assistance Commission; to repeal certain student financial assistance programs that the commission is authorized to administer; to provide for the continuance of certain tuition payments awarded pursuant to two such programs; to delete provisions relative to the review and approval by the commission of certain applications; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 284—**

BY REPRESENTATIVE MONTGOMERY

### **AN ACT**

To amend and reenact R.S. 11:2220(B)(1)(a)(ii), relative to the Municipal Police Employees' Retirement System; to provide with respect to survivor benefits; to provide a maximum benefit for surviving spouses of active members killed as a result of injuries sustained in the line of duty; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 347—**

BY REPRESENTATIVES GARY SMITH AND POWELL

### **AN ACT**

To enact R.S. 17:3048.1(H)(3), to permit certain students under specified circumstances to receive TOPS Opportunity, Performance, and Honors award benefits for postgraduate study; to provide for limitations; to provide relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to provide for implementation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 347 by Representative Gary Smith

**AMENDMENT NO. 1**

On page 1, line 4, after "study;" and before "to provide" insert "to provide for limitations;"

**AMENDMENT NO. 2**

On page 2, line 2, after "benefits" and before "for" insert a comma "," and insert "in accordance with the limitations as specified in Subparagraph (c) of this Paragraph."

**AMENDMENT NO. 3**

On page 2, between lines 20 and 21, insert the following:

"(c) The amount of the award benefits relative to tuition as provided for in Subparagraph (a) of this Paragraph shall not exceed the amounts determined by the administering agency to equal the tuition charged for the postgraduate study or for undergraduate full-time enrollment charged by the highest cost public college university in the state, whichever amount is less."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 376—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(5), relative to responsive verdicts; to provide that "guilty of negligent homicide" may be rendered as a responsive verdict to an indictment which charges the offense of manslaughter; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 377—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(3), relative to responsive verdicts; to provide that negligent homicide is a responsive verdict for the crime of second degree murder; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 447—**

BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 42:1132(B)(1) and (3)(b) and 1133(A), relative to the Board of Ethics; to reduce the membership of the board; to provide for the quorum of the board; to provide relative to the appointment or election of members to the board; to provide for staggered terms; to provide for implementation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 489—**

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 49:968(G), (H)(1), (I), and (J), relative to review of agency rules; to provide for a standing committee to override the governor's disapproval of a subcommittee's action relative to a proposed agency rule by a vote of two-thirds of the entire membership of the committee; to provide for the effect of such committee action; to provide for procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 530—**

BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 47:9059, relative to lottery retailers; to provide for the commission lottery retailers receive on the sale of lottery tickets; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 542—**

BY REPRESENTATIVE DANIEL  
A JOINT RESOLUTION

Proposing to amend Article III, Section 18(C)(1) of the Constitution of Louisiana, to provide relative to veto sessions; to provide for the vote to subsequently approve a vetoed bill or line items; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

## Page 12 HOUSE

26th Day's Proceedings - May 19, 2003

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 542 by Representative Daniel

#### AMENDMENT NO. 1

On page 2, line 1, after "(1)(a)" delete the remainder of the line and delete lines 2 through 7, and insert the following:

"A bill vetoed and returned and subsequently approved by ~~two-thirds of~~ the elected members of each house by the same vote required for passage of the bill shall become law."

#### AMENDMENT NO. 2

On page 2, line 8, change "(c)" to "(b)"

#### AMENDMENT NO. 3

On page 2, line 13, change "(d)" to "(c)"

#### AMENDMENT NO. 4

On page 2, delete lines 24 and 25 and one page 3, delete line 1 and insert the following:

"To provide that the elected members of each house may override the governor's veto of a bill by the same vote required for the passage of the bill. (Amends"

On motion of Rep. Lancaster, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

#### HOUSE BILL NO. 628—

BY REPRESENTATIVE LANCASTER

##### A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(B) of the Constitution of Louisiana, relative to the term of office of the governor; to prohibit a person who has served one full term as governor from being elected governor for the succeeding term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

#### HOUSE BILL NO. 636—

BY REPRESENTATIVE LANCASTER

##### A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article III, Section 7(C) and Article IV, Sections 6 and 14, relative to the powers, duties, and functions of the lieutenant governor; to provide for the lieutenant governor to be the presiding officer of the Senate; to provide for the powers, functions, and duties of the presiding officer of the Senate; to provide relative to gubernatorial

succession; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

#### HOUSE BILL NO. 641—

BY REPRESENTATIVE WINSTON

##### AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and (2)(a) and (b), relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the duty to provide information; to provide that child placement agencies and persons authorized to conduct preplacement home studies shall have access to criminal history information on certain persons; to provide for confidentiality; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Administration of Criminal Justice.

The substitute was read by title as follows:

#### HOUSE BILL NO. 2017 (Substitute for House Bill No. 641 by Representative Winston)—

BY REPRESENTATIVE WINSTON

##### AN ACT

To enact R.S. 15:587.1(H), relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the duty to provide information; to provide that licensed child placement agencies and persons authorized to conduct preplacement home studies shall have access to criminal history information on certain persons; and to provide for related matters.

Read by title.

On motion of Rep. Martiny, the substitute was adopted and became House Bill No. 2017 by Rep. Winston, on behalf of the Committee on Administration of Criminal Justice, as a substitute for House Bill No. 641 by Rep. Winston.

Under the rules, lies over in the same order of business.

#### HOUSE BILL NO. 655—

BY REPRESENTATIVE HEBERT

##### A JOINT RESOLUTION

Proposing to amend Article III, Section 16(B) of the Constitution of Louisiana, to provide for the house of origin for bills raising revenue; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 655 by Representative Hebert

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "appropriating" and at the beginning of line 4, delete "money;" and insert "raising revenue;"

AMENDMENT NO. 2

On page 1, line 15, after "All bills for" delete "raising revenue" and insert "appropriating money"

AMENDMENT NO. 3

On page 2, delete lines 1 through 4 and insert the following:

"(2) All bills for raising revenue shall originate in the Senate, but the House of Representatives may propose or concur in amendments, as in other bills."

AMENDMENT NO. 4

On page 2, delete lines 13 through 17 and insert the following:

"To provide that all bills for raising revenue shall originate in the Senate instead of in the House of Representatives. (Amends Article III, Section 16(B))"

On motion of Rep. Lancaster, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 679—**

BY REPRESENTATIVE HEBERT

**A JOINT RESOLUTION**

Proposing an amendment to the Constitution of Louisiana, to amend Article III, Section 5(A) and Article IV, Section 3(A) and to add Article IV, Section 3(E), to change the date that statewide elected officials and members of the legislature take office; to provide relative to the election of the statewide elected officials and members of the legislature; to extend the term of office of the statewide elected officials and members of the legislature; to specify a date on which members of the legislature take office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 679 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 4, after "officials" and before "take" insert "and members of the legislature"

AMENDMENT NO. 2

On page 1, delete line 6 and insert the following:

"officials and members of the legislature; to extend the term of office of the statewide elected officials and members of the legislature;"

AMENDMENT NO. 3

On page 2, line 22, after "statewide elected officials" and before "elected" insert "and members of the legislature"

AMENDMENT NO. 4

On page 2, line 23, delete "noon on"

AMENDMENT NO. 5

On page 2, line 24, delete "noon on"

AMENDMENT NO. 6

On page 2, at the beginning of line 25, delete "Thereafter, statewide elected officials" and insert in lieu thereof "The successors of these officials elected to take office in January of 2009 shall be elected at the regular congressional elections held in 2008 and such officials and their successors"

AMENDMENT NO. 7

On page 3, line 8, after "officials" insert "and legislators"

AMENDMENT NO. 8

On page 3, line 10, after "officials" insert "and legislators"

On motion of Rep. Lancaster, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 689—**

BY REPRESENTATIVES FARRAR AND DEWITT

**AN ACT**

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Tioga Heritage Park and Museum; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 717—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 33:4768(A)(1), relative to condemned structures; to provide that the city of Lake Charles, as an alternative to demolition or removal, may make repairs necessary to correct defects in condemned structures within its jurisdiction; and to provide for related matters.

## Page 14 HOUSE

26th Day's Proceedings - May 19, 2003

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 814—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 40:1058.1.1, relative to substance abuse and addiction treatment; to provide for substance abuse and addiction treatment facilities; to require the Department of Health and Hospitals to promulgate rules and standards for licensing or certification of such facilities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 814 by Representative Faucheux

#### AMENDMENT NO. 1

On page 1, line 4, after "to" delete the remainder of the line and on line 5, delete "an accreditation body" and insert "promulgate rules and standards for licensing or certification of such facilities"

#### AMENDMENT NO. 2

On page 1, line 8, change "addition" to "addiction" and at the end of the line delete the semicolon ";"

#### AMENDMENT NO. 3

On page 1, delete line 9

#### AMENDMENT NO. 4

On page 1, line 10, after "Part" delete the remainder of the line, and on line 11, delete "duplication of processes"

#### AMENDMENT NO. 5

On page 1, delete lines 12 through 16, and insert "ensure that staff performing licensing or certification surveys or reviews of opioid treatment or maintenance programs are trained in accreditation standards of a national accreditation body recognized by the United States Department of Health and Human Services to accredit opioid treatment or maintenance programs."

#### AMENDMENT NO. 6

On page 2, at the beginning of line 1, delete "In addition, the" and insert "The"

#### AMENDMENT NO. 7

On page 2, delete lines 2 and 3 and insert "to modify existing licensing or certification requirements to generally reflect the national accreditation standards."

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 818—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1481(1)(a), relative to the Louisiana Assessors' Retirement Fund; to provide for financing of the fund; to provide for tax deductions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 818 by Representative Pinac

#### AMENDMENT NO. 1

On page 2, line 5, after "deduct" and before "one" insert "one-fourth of"

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 819—**

BY REPRESENTATIVES PINAC AND ARNOLD  
AN ACT

To amend and reenact R.S. 11:1471, relative to the Assessors' Retirement Fund; to provide relative to the board of trustees; to provide for membership thereon; to provide for election procedures; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 885—**

BY REPRESENTATIVES BRUNEAU, LANCASTER, AND JOHN SMITH  
AN ACT

To amend and reenact R.S. 18:55(A)(2) and (4)(a) and 59(B)(2) and (4)(a) and (C)(2) and (4)(a), relative to registrars of voters; to provide for a salary increase for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 885 by Representative Bruneau

##### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:55(A)(2)" and before "relative to" delete "and 59(B)(2) and (C)(2)," and insert "and (4)(a) and 59(B)(2) and (4)(a) and (C)(2) and (4)(a)."

##### AMENDMENT NO. 2

On page 1, line 7, after "R.S. 18:55(A)(2)" and before "are hereby" delete "and 59(B)(2) and (C)(2)" and insert "and (4)(a) and 59(B)(2) and (4)(a) and (C)(2) and (4)(a)"

##### AMENDMENT NO. 3

On page 3, between lines 13 and 14, insert the following:

"(4)(a) Each registrar shall automatically receive an annual salary increase to the next step on July first until his annual salary equals the highest step of the appropriate population range. However, a registrar whose salary is less than step one of the appropriate population range shall receive an annual salary increase of ~~three~~ four thousand, ~~five~~ hundred dollars until that amount would cause his salary to exceed step one. At that time, he shall receive a salary increase to the amount of the nearest step which will provide an increase of not less than five hundred dollars.

\* \* \*

##### AMENDMENT NO. 4

On page 5, between lines 7 and 8, insert the following:

"(4)(a) Each chief deputy shall automatically receive an annual salary increase to the next step on July first until his salary equals the highest step of the appropriate population range. However, a chief deputy whose salary is less than step one of the applicable population range shall receive an annual salary increase of ~~three~~ four thousand, ~~five~~ hundred dollars until that amount would cause his salary to exceed step one. At that time, he shall receive a salary increase to the amount of the nearest step which will provide an increase of not less than three hundred dollars.

\* \* \*

##### AMENDMENT NO. 5

On page 6, between lines 22 and 23, insert the following:

"(4)(a) Each confidential assistant shall automatically receive an annual salary increase to the next step on July first until his salary equals the highest step of the appropriate population range. However, a confidential assistant whose salary is less than step one of the appropriate population range shall receive a salary increase of ~~three~~ four thousand, ~~five~~ hundred dollars until that amount would cause his salary to exceed step one. At that time, he shall receive a salary increase to the amount of the nearest step which will provide an increase of not less than two hundred dollars.

\* \* \*

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 895—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:1483(11), relative to the definition of major office for the purposes of the Campaign Finance Disclosure Act; to remove the exclusion of certain judicial seats from the definition of "major office"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 907—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 907 by Representative Schneider

##### AMENDMENT NO. 1

On page 1, line 3, after "(c)," delete the remainder of the line and insert "(d), (e), and (f) and (6) and to enact R.S."

##### AMENDMENT NO. 2

On page 1, line 4, after "11:2260(A)(2)(g)" delete "and (h)," and insert a comma ","

##### AMENDMENT NO. 3

On page 1, line 13, after "(c)," delete the remainder of the line and insert "(d), (e), and (f) and (6) are hereby amended and"

##### AMENDMENT NO. 4

On page 1, line 14, after "11:2260(A)(2)(g)" delete "and (h) are" and insert in lieu thereof "is"

##### AMENDMENT NO. 5

## Page 16 HOUSE

26th Day's Proceedings - May 19, 2003

On page 1, line 19, change "eleven" to "ten"

### AMENDMENT NO. 6

On page 2, delete lines 11 through 18 in their entirety and insert in lieu thereof:

"~~(e)~~ (d) The chairman of the House of Representatives Committee on Retirement and the chairman of the Senate Committee on Retirement, or their designees.

~~(f)~~ (e) A retiree of the system, who shall be elected by a majority vote of the members of the board from at least three nominees submitted by the retired members of the system, for a term of five years, commencing on January 1, 1989."

### AMENDMENT NO. 7

On page 2, at the beginning of line 19, change "(g)" to "(f)"

### AMENDMENT NO. 8

On page 2, delete line 20, and insert "(g) The president of the Public Affairs Research Council."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 913—**

BY REPRESENTATIVE SCHNEIDER

#### AN ACT

To amend and reenact R.S. 11:1312(H) and 1335, relative to the Louisiana State Police Pension and Retirement System; to provide with respect to the conversion of annual leave and sick leave upon termination of employment; to provide relative to lump sum payments for leave conversion; to allow deposit of such payments directly into the member's Deferred Retirement Option Plan account; to provide for placing Deferred Retirement Option Plan account balances in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 913 by Representative Schneider

### AMENDMENT NO. 1

On page 1, line 1, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 11:1312(H) and 1335, relative to the Louisiana State Police Pension and"

### AMENDMENT NO. 2

On page 1, line 7, after "account;" and before "to" insert "to provide for placing Deferred Retirement Option Plan account balances in liquid asset money market investments;"

### AMENDMENT NO. 3

On page 1, line 13, after "Section 1." delete "R.S. 11:1335 is" and insert in lieu thereof "R.S. 11:1312(H) and 1335 are"

### AMENDMENT NO. 4

On page 1, after line 14, insert:

"§1312. Deferred Retirement Option Plan

\* \* \*

H.(1) Upon termination of employment at the end of the specified period of participation, a participant in the plan shall receive at his option, a lump sum payment from the Deferred Retirement Option Plan fund equal to the payments made to that fund on his behalf, or any other method of payment approved by the board of trustees. The monthly benefits that were being paid into the deferred retirement option plan fund shall begin to be paid to the retiree.

(2)(a) Except as provided in Subparagraph (b) of this Paragraph, after a person who entered the plan before July 1, 2003, completes participation in this program, his individual account balance in the plan shall earn interest at a rate of one-half percentage point below the percentage rate of return on the system's investment portfolio as certified by the actuary in his yearly evaluation report, said interest to be credited to his individual account balance on an annual basis. However, any person to whom this Subparagraph applies may make a one-time irrevocable election to have his individual account balance placed in liquid asset money market investments as provided in Paragraph (3) of this Subsection.

(b) If a member participated in the Deferred Retirement Option Plan and opts to have the monetary value of his unused sick and annual leave deposited into his plan account pursuant to R.S. 11:1335(B), then his individual account balance in the plan shall be placed in liquid asset money market investments at the discretion of the board of trustees. Such account balances shall be credited with interest at the actual rate of return earned on such account balance investments.

(3) After a person who entered the plan on or after July 1, 2003, completes participation in this program, his individual account balance in the plan shall be placed in liquid asset money market investments at the discretion of the board of trustees. Such account balances shall be credited with interest at the actual rate of return earned on such account balance investments.

\* \* \*

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

### **HOUSE BILL NO. 945—**

BY REPRESENTATIVE HOPKINS

#### AN ACT

To enact R.S. 13:2583.3, relative to justice of the peace courts in Caddo Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:



**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 945 by Representative Hopkins

**AMENDMENT NO. 1**

On page 1, at the beginning of line 13, before "Parish" change "Union" to "Caddo"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 949—**

BY REPRESENTATIVE BRUCE

**AN ACT**

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Mansfield Women's College Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 949 by Representative Bruce

**AMENDMENT NO. 1**

On page 7, line 22, after "parish of" and before "a notice" delete "Concordia" and insert in lieu thereof "DeSoto"

**AMENDMENT NO. 2**

On page 10, below line 23, insert the following:

"Section 4. This Act shall become effective on the effective date of an appropriation of funds by the legislature to fund the provisions of this Act."

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 950—**

BY REPRESENTATIVE WINSTON

**AN ACT**

To amend and reenact Children's Code Articles 896(D) and 900(A) and to enact Children's Code Article 898(C)(6), relative to the delinquency of juveniles; to provide with respect to the effective period of a deferred dispositional agreement, a judgment of disposition in a misdemeanor-grade adjudication, and a judgment of disposition in a felony-grade adjudication; to provide that these time periods may be extended for any juvenile participating or ordered to participate in a juvenile drug court program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 955—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To enact R.S. 11:153(L), relative to the Sheriffs' Pension and Relief Fund; to provide for the purchase of credit for military service; to provide for the payment of the additional actuarial cost; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 955 by Representative Montgomery

**AMENDMENT NO. 1**

On page 3, line 2, after "member" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert in lieu thereof:

"submitted a written information survey to the system on or before April 15, 2003."

(5) No funds derived from the assessments against insurers pursuant to R.S. 22:1419 shall be used to pay any increased costs or increase in liability of the system resulting from the provisions of this Subsection."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 956—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments; to permit payment of a nonrecurring benefit supplement if no cost-of-living adjustment can be paid; to provide for eligibility to receive such supplement; to provide relative to the method and time of

## Page 18 HOUSE

26th Day's Proceedings - May 19, 2003

payment of such supplement; to provide for retroactive application; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 956 by Representative Montgomery

#### AMENDMENT NO. 1

On page 1, line 4, after "supplement" and before "no" delete "in years when" and insert "if"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 2, delete "in any year" and insert in lieu thereof "based on the valuation for the year ending June 30, 2002,"

#### AMENDMENT NO. 3

On page 2, at the end of line 8, insert "No funds derived from the assessments against insurers pursuant to R.S. 22:1419 shall be used to pay any increased costs or increase in liability resulting from the provisions of this Subsection."

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 982—**

BY REPRESENTATIVES WELCH, L. JACKSON, AND M. JACKSON  
AN ACT

To amend and reenact R.S. 37:2401(1)(b) and 2410(A) and to enact R.S. 37:2410(D), (E), and (F) and 2422, relative to the practice of physical therapy; to provide for referrals from chiropractors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 982 by Representative Welch

#### AMENDMENT NO. 1

On page 1, line 2, after "2401(1)(b)" insert "and 2410(A) and to enact R.S. 37:2410(D), (E), and (F) and 2422"

#### AMENDMENT NO. 2

On page 1, line 6, after "2410(1)(b)" delete "is" and insert "and 2410(A) are"

#### AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 37:2410(D), (E), and (F) and 2422 are hereby enacted"

#### AMENDMENT NO. 4

On page 2, after line 4, insert the following:

"§2410. Practice

A. ~~No person licensed under this Chapter shall practice physical therapy or act as a physical therapist, except upon the prescription or referral of a person licensed to practice medicine, surgery, dentistry, or podiatry.~~ Initial ~~A physical therapist licensed under this Chapter is fully authorized to practice physical therapy as defined in this Chapter. A person licensed under this Chapter may perform an initial evaluation or consultation of a screening nature to determine the need for physical therapy~~ may be performed by a physical therapist without referral or prescription, but implementation of physical therapy treatment to individuals for their specific condition or conditions shall be based on the prescription or referral of a person licensed to practice medicine, surgery, dentistry, or podiatry, or chiropractic.

\* \* \*

D. A physical therapist licensed under this Chapter shall not perform physical therapy services without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic. However, a physical therapist licensed under this Chapter may perform physical therapy services without a prescription or referral under the following circumstances:

(1) To children with a diagnosed developmental disability pursuant to the patient's plan of care.

(2) As part of a home health care agency pursuant to the patient's plan of care.

(3) To a patient in a nursing home pursuant to the patient's plan of care.

(4) Related to conditioning or to providing education or activities in a wellness setting for the purpose of injury prevention, reduction of stress, or promotion of fitness.

(5) To an individual for a previously diagnosed medical condition after informing the health care provider rendering the diagnosis. The medical diagnosis should have been made within the past ninety days. The physical therapist shall provide the health care provider with a plan of care for approval by the health care provider within the first fifteen days of physical therapy intervention.

E. Physical therapy services performed without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic shall not be construed to mandate coverage for physical therapy services under any health care plan, insurance policy, or workers' compensation or circumvent any requirement for pre-authorization of services in accordance with any health care plan, insurance policy, or workers' compensation.

F. Notwithstanding any laws to the contrary, nothing in this Chapter shall preclude any health care plan or insurance policy from reimbursing for covered physical therapy services performed by a person licensed under this Chapter without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic.

\* \* \*

§2422. Reimbursement for therapy treatments or physical modalities

No provision in this Chapter shall preclude a physical therapist from being reimbursed for therapy treatments of physical modalities which fall within their scope of practice. A physical therapist may not profess to provide "spinal manipulation" or "spinal adjustment" or use these terms for advertising purposes.

Section 2. This Act shall become effective upon the signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1031—**

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 23:631(A)(1), relative to the payment of employees; to provide for the payment of employee's wages upon separation from employment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1031 by Representative Tucker

##### AMENDMENT NO. 1

On page 1, after "A.(1)" insert the following:

"(a) Upon the discharge of any laborer or other employee of any kind whatever, it shall be the duty of the person employing such laborer or other employee to pay the amount then due under the terms of employment, whether the employment is by the hour, day, week, or month, on or before the next regular payday or no later than fifteen days following the date of discharge, whichever occurs first.

(b) Upon the resignation of any laborer or other employee of any kind whatever, it shall be the duty of the person employing such laborer or other employee to pay the amount then due under the terms of employment, whether the employment is by the hour, day, week, or month, on or before the next regular payday for the pay cycle during which the employee was working at the time of separation or no later than fifteen days following the date of resignation, whichever occurs first."

##### AMENDMENT NO. 2

On page 2, delete lines 3 through 10 in their entirety

On motion of Rep. Guillory, the amendments were adopted.

On motion of Rep. Guillory, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1054—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1505.2(K)(2), 1511.3(C), and 1532 and to enact R.S. 18:1491.1(B)(9) and 1505.2(K)(3), relative to the campaign finance laws; to provide for certain information to be included in the statement of organization of a political committee; to prohibit certain political committees from accepting contributions in excess of certain limits from any person; to provide for copies of reports filed with the supervisory committee to be provided to the public upon request; to exempt political committees that file monthly expenditure disclosure reports from filing election day expenditure reports if no election day expenditures are made; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1105—**

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact Children's Code Article 896(G), relative to deferred disposition agreements in juvenile delinquency proceedings; to authorize the court to utilize or initiate a teen or youth court program; to authorize assessment of fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1115—**

BY REPRESENTATIVES TRICHE, CURTIS, DANIEL, DEVILLIER, FAUCHEUX, FRUGE, HUDSON, KENNARD, MCVEA, JACK SMITH, JOHN SMITH, STRAIN, DOWNER, MONTGOMERY, AND PIERRE AND SENATORS MICHOT, ADLEY, CRAVINS, HINES, HOLDEN, AND MALONE

AN ACT

To amend and reenact R.S. 11:62(5)(d), 581(B)(1), and 582(A) and (C), relative to the Louisiana State Employees' Retirement System; to provide relative to the employee contribution rate for wildlife agents; to provide for definitions; to provide relative to retirement benefits for wildlife agents; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1147—**

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 28:381(11) and to enact R.S. 28:20, relative to admission to or services of treatment facilities of the Department of Health and Hospitals; to limit admission to or services of such

## Page 20 HOUSE

26th Day's Proceedings - May 19, 2003

facilities to persons who meet certain criteria; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1147 by Representative Durand

#### AMENDMENT NO. 1

On page 1, line 2, change "28:400.1" to "28:20"

#### AMENDMENT NO. 2

On page 1, line 8, change "28:400.1" to "28:20"

#### AMENDMENT NO. 3

On page 1, between lines 8 and 9 insert

"§20. Admission to Department of Health and Hospitals facilities; legislative findings; criteria

A. The legislature hereby finds and declares that residents of Louisiana may require appropriate care for mental illness or developmental disabilities. However, the resources and staffing available to the department may be inadequate to provide care to all persons.

B. Notwithstanding any other provision of law to the contrary, no person shall be admitted to a department facility, whether admission or services are sought voluntarily, by court order, or by commitment, unless the person meets the criteria of rules promulgated by the department.

\* \* \*

#### AMENDMENT NO. 4

On page 1, delete lines 15 through 18

#### AMENDMENT NO. 5

On page 2, delete lines 1 through 9

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1221—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 42:1102(2)(a)(ii), to provide relative to the definition of the agency of the lieutenant governor for purposes of the Code of Governmental Ethics; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1307—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 40:432 and to enact R.S. 40:384(28), relative to local housing authorities; to provide for definitions; to authorize the collection of criminal history record information on applicants for public housing and vouchers under Housing Choice Voucher programs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1307 by Representative LaFleur

#### AMENDMENT NO. 1

On page 1, at the beginning of line 2, delete "To enact R.S. 40:384(28) and 432(7)," and insert in lieu thereof "To amend and reenact R.S. 40:432 and to enact R.S. 40:384(28),"

#### AMENDMENT NO. 2

On page 1, line 4, after "housing" and before "and to" delete the semicolon ";" and insert in lieu thereof "and vouchers under Housing Choice Voucher programs;"

#### AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "hereby enacted" delete "R.S. 40:384(28) and 432(7) are" and insert in lieu thereof "R.S. 40:432 is hereby amended and reenacted and R.S. 40:384(28) is"

#### AMENDMENT NO. 4

On page 1, line 16, after "descriptions and" delete the remainder of line 16, and delete line 17 in its entirety and insert in lieu thereof "records of convictions and"

#### AMENDMENT NO. 5

On page 2, at the beginning of line 8, insert "A."

#### AMENDMENT NO. 6

On page 2, delete line 11, in its entirety and insert in lieu thereof the following:

"(1) Conduct examinations and investigations with respect to any matter relating to the purposes of this Chapter.

(2) Make available to public agencies and officials and the public, all findings, conclusions, and recommendations resulting from such examinations and investigations.

(3) Subpoena and compel the attendance of witnesses and the production of documents, books, records, papers, electronic and other data, and things.

(4) Issue commissions for the examination of witnesses who are outside this state, unable to attend a hearing, or are excused from such attendance.

(5) Issue commissions for the examination of documents, books, records, papers, electronic and other data, and things outside this state.

(6) Administer oaths and receive sworn or unsworn testimony or other proofs at public or nonpublic hearings."

#### AMENDMENT NO. 7

On page 2, between lines 13 and 14, insert the following:

"B. A local Housing Choice Voucher agency, acting through its director or his designee, may request and obtain criminal history record information on any person applying for a voucher under a Housing Choice Voucher program."

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1488—**

BY REPRESENTATIVE FARRAR

##### **AN ACT**

To amend and reenact R.S. 33:3817(B), relative to waterworks districts; to authorize the board of commissioners of such districts to employ a president and to fix his salary; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1488 by Representative Farrar

#### AMENDMENT NO. 1

On page 1, line 11, after "a president" and before "a secretary" change "or" to "and"

#### AMENDMENT NO. 2

On page 1, line 14, after "The president" and before "secretary shall" change "or" to "and"

#### AMENDMENT NO. 3

On page 1, at the beginning of line 15, change "him" to "them"

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1501—**

BY REPRESENTATIVES SCHNEIDER, BEARD, DANIEL, MCDONALD, MCVEA, AND SHAW

##### **AN ACT**

To amend and reenact R.S. 11:2252, 2253(A)(1)(a)(ii) and (C), 2256(A)(5) and (E)(3), 2260(A)(6) and (8), 2261(A), and 2262(D)(2), to enact R.S. 11:2253(D), 2256(B)(1)(f), and 2260.1, and to repeal R.S. 11:2260(A)(11)(f), relative to the Firefighters' Retirement System; to provide with respect to the definition of terms; to provide for determinations of eligibility for membership in the system; to terminate the authority to merge employees of certain fire protection districts into the system; to provide for application of provisions of law regarding reemployment of retirees to all employees of the system; to define the term "surviving eligible spouse" for purposes of paying survivor benefits; to authorize the payment of refunded employee contributions based on emergency circumstances; to establish quorum and voting requirements for the members of the board of trustees; to delete provisions related to the joint administration with another retirement system; to provide authority for the correction of administrative errors; to establish standards by which system funds are invested; to provide with regard to delinquent contributions; to repeal provisions relative to the merger of individuals into the system, otherwise known as "Act 89 mergers"; to provide for effective dates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

#### **HOUSE BILL NO. 1508—**

BY REPRESENTATIVE HEBERT

##### **AN ACT**

To amend and reenact R.S. 22:1401(E) and (F), 1404(5), 1405(C), 1406(A), (B), and (D)(1)(a)(ii) and (c)(i)(introductory paragraph), 1407(A)(1) and (2)(introductory paragraph), (B), (C), (D), (E), (G), (H), and (K), 1408, 1409(A), (B), (D), and (G)(2), 1410, 1411, 1413(B), (C), and (D), 1414(B), 1415, 1416, 1418, 1419(A)(1) and (B), and 1422 and to repeal R.S. 22:1401(G) and (H), 1406(C) and (D)(7), 1407(J) and (L), 1417.1, and 1420, relative to the functions, duties, and activities of the Louisiana Insurance Rating Commission; to provide for the office of property and casualty; to provide for procedures; to provide for expenses; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1508 by Representative Hebert

#### AMENDMENT NO. 1

On page 7, line 8, after "as to" and before "inland" insert "excess insurance coverage, and"

#### AMENDMENT NO. 2

On page 10, line 8, after "K." delete the remainder of the line.

## Page 22 HOUSE

26th Day's Proceedings - May 19, 2003

### AMENDMENT NO. 3

On page 10, line 9, change "any" to "Any"

### AMENDMENT NO. 4

On page 10, line 11, after "Louisiana" insert ", whose rates are subject to the provisions of this Part."

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1510—**

BY REPRESENTATIVE HEBERT

#### AN ACT

To amend and reenact R.S. 22:691(C), (E), and (F)(2) and to enact R.S. 22:691(H), relative to the standard fire insurance contract; to provide for the office of property and casualty; to provide for cancellation notice; to provide for loss payable; to provide for terrorism coverage; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1510 by Representative Hebert

### AMENDMENT NO. 1

On page 9, line 25, after "caused" delete the remainder of the line, delete line 26, and insert in lieu thereof the following:

" , directly or indirectly, by terrorism, unless an endorsement specifically assuming coverage for loss or damage caused by terrorism is attached to the policy."

### AMENDMENT NO. 2

On page 10, delete lines 1 through 3.

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1516—**

BY REPRESENTATIVE FAUCHEUX

#### AN ACT

To amend and reenact R.S. 33:4574.12(D)(1)(b) and (E)(1) and to enact R.S. 33:4574.12(D)(3), relative to the River Parishes Convention, Tourist, and Visitors District; to grant the commission the authority to levy additional taxes, fees, and charges; to provide relative to exemption and exclusions applicable to taxes levied by the district; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1516 by Representative Fauchaux

### AMENDMENT NO. 1

On page 2, line 18, after "Louisiana," and before "The" at the end of the line insert the following:

"Subject to constitutional limitations, a hotel/motel as defined in this Section shall be exempt from any tax, fee, or charge levied pursuant to this Paragraph for a period of three years from the date any new or additional tax, fee, or charge is first levied and collected."

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1541—**

BY REPRESENTATIVE STRAIN

#### AN ACT

To enact R.S. 23:1871(Q), relative to educational, licensing, and employment data and reports; to provide for data sharing among certain state agencies, education programs, and licensing boards for the purposes of health occupational forecasting and reporting; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1541 by Representative Strain

### AMENDMENT NO. 1

On page 1, line 3, change "records" to "data"

### AMENDMENT NO. 2

On page 1, line 4, after "agencies" and before "and" insert ", education programs"

### AMENDMENT NO. 3

On page 1, line 4, after "purposes of" and before "occupational" insert "health"

### AMENDMENT NO. 4

On page 1, line 9, after "duties" insert "; data collection and reporting"

### AMENDMENT NO. 5

On page 1, line 13, delete "may be provided" and insert in lieu thereof "shall be authorized to request and receive"

#### AMENDMENT NO. 6

On page 1, line 14, change "completion" to "education"

#### AMENDMENT NO. 7

On page 1, line 15, after "records" insert "and other related health workforce data produced by state agencies, including the Departments of Labor, Economic Development, Education and Health and Hospitals"

#### AMENDMENT NO. 8

On page 2, line 1, after "used to", insert "measure and"

#### AMENDMENT NO. 9

On page 2, line 2, delete "and demand" and delete "as evidenced by"

#### AMENDMENT NO. 10

On page 2, line 3, delete "completion/graduation rates"

#### AMENDMENT NO. 11

On page 2, at the end of line 3, insert ", both public and private."

#### AMENDMENT NO. 12

On page 2, line 8, change "data" to "statistics"

#### AMENDMENT NO. 13

On page 2, at the end of line 8, insert "and track"

#### AMENDMENT NO. 14

On page 2, line 9, change "providers" to "professionals"

#### AMENDMENT NO. 15

On page 2, line 10, change "compiled" to "produced"

#### AMENDMENT NO. 16

On page 2, line 11, delete "or the governor's Office of the Workforce Commission"

#### AMENDMENT NO. 17

On page 2, delete lines 12 through 14 in their entirety

#### AMENDMENT NO. 18

On page 2, line 15, change "(d)" to "(c)" and after "used to", delete the remainder of the line and insert in lieu thereof "measure and track the supply of licensed"

#### AMENDMENT NO. 19

On page 2, line 16, delete "of"

#### AMENDMENT NO. 20

On page 2, line 18, after "include" insert ", but not be limited to"

#### AMENDMENT NO. 21

On page 2, line 26, after "Examiners" and before the period, insert "and related health professions under its jurisdiction"

#### AMENDMENT NO. 22

On page 3, line 17, after "Hospitals" and before the period, insert "and its health professions of jurisdiction"

#### AMENDMENT NO. 23

On page 3, line 18, change "common" to "standardized" and change "designed" to "agreed upon"

#### AMENDMENT NO. 24

On page 3, line 19, after "Commission." insert "the"

#### AMENDMENT NO. 25

On page 3, delete lines 20 through 22 and insert in lieu thereof "Commission, and representatives of the affected state boards and agencies. The standardized format shall be developed by October 31, 2003."

#### AMENDMENT NO. 26

On page 3, line 24, after "Workforce Commission" delete the remainder of the line and delete line 25, and insert in lieu thereof "on an annual basis with reporting dates and schedule to be determined by the Office of the Workforce Commission in collaboration with entities described in Subparagraph (2)(a)."

#### AMENDMENT NO. 27

On page 4, delete lines 1 through 26 in their entirety and insert the following:

"(3) For the purpose of measuring, tracking, and projecting job growth, supply, and demand of health care professionals, the governor's Office of the Workforce Commission, working with the Health Works Commission, shall provide an annual health workforce report to related state agencies, education programs and state professional licensing boards outlined in this Subsection, health industry stakeholders, the Senate and House Committees on Education, Labor and Industrial Relations, and Health and Welfare, and the Office of the Governor.

(4) Any individual data provided pursuant to this Subsection will be confidential. No public employee, commission member, or contractor acting on behalf of a state agency or employee of such a contractor may:

(a) Use any data provided pursuant to this Subsection for any purpose other than the statistical, forecasting, and program purposes for which the data is furnished.

(b) Make public any of the data provided pursuant to this Subsection which would allow the identity of any individual to be inferred by either direct or indirect means.

(c) Retain any personal data as provided in this Subsection that is received by the governor's Office of the Workforce Commission and the Health Works Commission or any contractor acting on behalf of the commission. Any personal data must be destroyed within thirty days of completion of its intended purpose as described in this Subsection.

(5) Any person who violates any provision of this Subsection shall be fined not less than one thousand dollars nor more than twenty thousand dollars or imprisoned for not less than thirty days nor more than six months, or both."

## Page 24 HOUSE

26th Day's Proceedings - May 19, 2003

### AMENDMENT NO. 28

On page 5, delete lines 1 through 10 in their entirety

On motion of Rep. Guillory, the amendments were adopted.

On motion of Rep. Guillory, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1643—**

BY REPRESENTATIVE GUILLORY  
AN ACT

To amend and reenact R.S. 23:151, 182, 183, 188, and 215 and to repeal R.S. 23:189, relative to the employment of minors; to repeal certain exemptions from application of current statutory provisions; to delete references to work permits; to require electronic filing of applications for employment certificates; to repeal the requirement for a duplicate filing with the secretary; to adjust work hours during which minors can work; to repeal the requirement for different colored certificates issued based upon age of the applicant; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1643 by Representative Guillory

### AMENDMENT NO. 1

On page 1, line 2, delete "162,"

### AMENDMENT NO. 2

On page 1, line 4, delete "to provide"

### AMENDMENT NO. 3

On page 1, delete line 5 in its entirety

### AMENDMENT NO. 4

On page 1, line 6, delete "thirteen years of age;"

### AMENDMENT NO. 5

On page 1, line 13, delete "162,"

### AMENDMENT NO. 6

On page 2, delete lines 12 through 25 in their entirety

### AMENDMENT NO. 7

On page 3, delete lines 1 through 7 in their entirety

On motion of Rep. Guillory, the amendments were adopted.

On motion of Rep. Guillory, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1683—**

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, AND WINSTON  
AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, AND MOUNT  
AN ACT

To amend and reenact R.S. 15:906(A) and R.S. 46:2601(A)(1), 2603(A) and (B)(2), and 2604 and Children's Code Articles 810 and 897.1, to enact Part XII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1111, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, 2605.3 and 2605.4, and Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2611, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", and to repeal R.S. 15:906(B) and R.S. 46:2607, all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to create the Education/Juvenile Justice Partnership Act; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; to provide with respect to waiver of counsel for children; to provide with respect to disposition after adjudication of certain felony-grade delinquent acts; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

### **HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—**

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, AND WRIGHT AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, MOUNT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS  
AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 906.1, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of



Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 677, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, and Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile risk review panel; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 2018 by Rep. Landrieu, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 1683 by Rep. Landrieu.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 1715—**  
BY REPRESENTATIVE GLOVER  
AN ACT

To enact R.S. 40:31.2, relative to public health; creates the Interagency Task Force on Health Literacy; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

**HOUSE BILL NO. 2019 (Substitute for House Bill No. 1715 by Representative Glover)—**  
BY REPRESENTATIVE GLOVER  
AN ACT

To enact R.S. 40:31.2, relative to public health; creates the Interagency Task Force on Health Literacy; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the substitute was adopted and became House Bill No. 2019 by Rep. Glover, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 1715 by Rep. Glover.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 1726—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To repeal R.S. 33:4085(C), relative to the Sewerage and Water Board of New Orleans.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1761—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 33:4138, relative to the city of New Orleans; to remove the debt ceiling of eighteen million dollars for the Sewerage and Water Board of New Orleans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1762—**  
BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 33:4148, relative to the city of New Orleans; to remove the debt ceiling of sixty-eight million dollars for the Sewerage and Water Board of New Orleans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1832—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 13:847(F), relative to fees clerks of court receive in criminal cases; to authorize a clerk of a district court in a parish with a population of between forty-two thousand eight hundred and forty-three thousand five hundred to receive an additional fee in expungement cases; to provide for use of the funds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## Page 26 HOUSE

26th Day's Proceedings - May 19, 2003

### HOUSE BILL NO. 1862—

BY REPRESENTATIVE PERKINS

#### AN ACT

To amend and reenact R.S. 15:572(A) and (B), relative to pardons; to provide that a pardon shall not be issued to any person unless that person has paid all of the fees and fines which were imposed in connection with the conviction of the crime for which the pardon is to be issued; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1866—

BY REPRESENTATIVE RICHMOND

#### AN ACT

To amend and reenact R.S. 33:4701(A), 4702(B)(1) and (2) and (C)(1), 4703(A), 4706(B), 4707(A)(1) and (4), and 4708(A) and (B)(2) and (4) and to repeal R.S. 33:4702(B)(3) and (4), (E)(4) and (5), and (G) and 4703(C)(14), relative to special municipal districts; to provide with respect to the New Orleans Business and Industrial District; to provide for a name change; to provide with respect to the members of the board of commissioners of the district; to repeal certain provisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1866 by Representative Richmond

##### AMENDMENT NO. 1

On page 1, line 2, after "and (2)" delete "(introductory" and on line 3, delete "paragraph)" and delete the comma ", " after "(4)"

##### AMENDMENT NO. 2

On page 1, line 4, after "and (4)," delete the remainder of the line and insert "and to"

##### AMENDMENT NO. 3

On page 1, line 5, after "R.S." change "33:4702(B)(2)(b)" to "33:4702(B)(3)" and delete the comma ", " after "(6)"

##### AMENDMENT NO. 4

On page 1, line 15, after "and (2)" delete "(introductory" and on line 16, delete "paragraph)"

##### AMENDMENT NO. 5

On page 2, at the end of line 1, delete "and R.S." and delete line 2 and insert "to read as follows:"

##### AMENDMENT NO. 6

On page 2, at the end of line 4, delete "REGIONAL"

##### AMENDMENT NO. 7

On page 2, line 5, after "BUSINESS" delete "AND INDUSTRIAL DISTRICT" and insert "PARK"

##### AMENDMENT NO. 8

On page 2, line 6, after "New Orleans" delete "Regional"

##### AMENDMENT NO. 9

On page 2, line 6, after "Business" delete "and Industrial" and at the beginning of line 7, delete "District;" and insert "Park;"

##### AMENDMENT NO. 10

On page 2, line 10, after "New Orleans" delete "Regional"

##### AMENDMENT NO. 11

On page 2, line 10, after "Business" delete "and Industrial District," and insert "Park,"

##### AMENDMENT NO. 12

On page 2, line 24, after "New Orleans" delete "Regional"

##### AMENDMENT NO. 13

On page 2, line 24, after "Business" delete "and Industrial District" and insert "Park"

##### AMENDMENT NO. 14

On page 3, delete lines 6 through 10 and insert in lieu thereof:

"(2) The board shall be composed of ~~twelve~~ fourteen members ~~who as provided in this Paragraph.~~

(a) Ten members shall be appointed as follows:

(~~a~~) (i) The New Orleans East Business Association shall appoint one member who shall serve an initial term of one year.

(~~b~~) ~~The Eastern New Orleans Area Council of the Chamber of Commerce shall appoint one member who shall serve an initial term of one year.~~

(~~c~~) (ii) The state representative whose representative district is defined in R.S. 24:35.4(A)(100) shall appoint one member who shall serve an initial term of two years.

(~~d~~) (iii) The state senator whose senatorial district is defined in R.S. 24:35 as District 2 shall appoint two members each of whom shall serve an initial term of three years.

(~~e~~) (iv) The councilman of the councilmanic district in which the special municipal district is located shall appoint one member who shall serve an initial term of three years.

(~~f~~) ~~The New Orleans Chapter of the National Business League shall appoint one member who shall serve an initial term of two years.~~

(~~g~~) (v) The state representative whose representative district is defined in R.S. 24:35.4(A)(103) shall appoint one member who shall serve an initial term of two years.

(†) (vi) The state representative whose representative district is defined in R.S. 24:35.4(A)(101) shall appoint one member who shall serve an initial term of two years.

(†) (vii) The New Orleans East Economic Development Foundation shall appoint one member who shall serve an initial term of one year.

(†) (viii) The mayor of the city of New Orleans shall appoint two members each of whom shall serve an initial term of three years.

(b) The secretary of the Department of Economic Development shall serve as an ex officio member.

(c) One member shall be selected at large by majority vote of the board from a list of nominations submitted by the National Business League, the New Orleans chapter of the National Black Business Association, and the Coalition of Minority Contractors.

(d) The chairman of the New Orleans Regional Chamber of Commerce or his designee shall serve as a member.

(e) The executive director of the Port of New Orleans or his designee shall serve as a member.

#### AMENDMENT NO. 15

On page 4, line 2, after "New Orleans" delete "Regional"

#### AMENDMENT NO. 16

On page 4, line 2, after "Business" delete "and Industrial" and at the beginning of line 3, delete "District," and insert "Park."

#### AMENDMENT NO. 17

On page 5, line 2, after "New Orleans" delete "Regional"

#### AMENDMENT NO. 18

On page 5, line 2, after "Business" delete "and Industrial District." and insert "Park."

#### AMENDMENT NO. 19

On page 5, line 8, after "New Orleans" delete "Regional"

#### AMENDMENT NO. 20

On page 5, line 8, after "Business" delete "and Industrial District," and insert "Park."

#### AMENDMENT NO. 21

On page 5, at the end of line 11, delete "Regional"

#### AMENDMENT NO. 22

On page 5, line 12 after "Business" delete "and Industrial District" and insert "Park"

#### AMENDMENT NO. 23

On page 5, line 24, after "New Orleans" delete "Regional"

#### AMENDMENT NO. 24

On page 5, at the beginning of line 25, delete "and Industrial District." and insert "Park."

#### AMENDMENT NO. 25

On page 6, line 9, after "New Orleans" delete "Regional"

#### AMENDMENT NO. 26

On page 6, line 9, after "Business" delete "and Industrial District." and insert "Park."

#### AMENDMENT NO. 27

On page 6, at the end of line 11, delete "Regional"

#### AMENDMENT NO. 28

On page 6, at the beginning of line 12, after "Business" delete "and Industrial District." and insert "Park."

#### AMENDMENT NO. 29

On page 6, line 14, after "R.S. 33:4702(B)" delete "(2)(b)" and insert "(3)" and delete the comma "," after "(G)"

On motion of Rep. Broome, the amendments were adopted.

On motion of Rep. Broome, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1886—**

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 33:9038.10, relative to economic development districts; to provide for the annual baseline collection rate for tax increments within certain districts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Broome, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1891—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 15:542.1(H)(1), relative to registration of sex offenders; to provide relative to the exception of registration requirements for those persons pardoned by the governor; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1923—**  
BY REPRESENTATIVES HUDSON AND NEVERS  
AN ACT

To enact R.S. 17:427.3, to provide for the Teach Louisiana First Program to reduce the shortage of certified teachers in certain schools; to provide for program purposes, eligibility criteria, incentive payments, reports, administration, and funding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 1923 by Representative Hudson

**AMENDMENT NO. 1**

On page 1, at the end of line 16, delete the period "." and add "and in rural public schools that have not been designated as failing schools but are located in disadvantaged geographical areas."

**AMENDMENT NO. 2**

On page 2, line 6, after "Section" and before "teach" delete the comma "," and insert "or in a rural school that has not been designated as a failing school but is located in a disadvantaged geographical area."

**AMENDMENT NO. 3**

On page 2, line 8, after "to the" and before "school's" delete "failing"

**AMENDMENT NO. 4**

On page 7, at the end of line 25, delete the period "." and add "and each rural school that has not been designated as a failing school but is located in a disadvantaged geographical area."

**AMENDMENT NO. 5**

On page 8, line 2, after "school" and before "to" insert "and in each rural school that has not been designated as a failing school but is located in a disadvantaged geographical area"

**AMENDMENT NO. 6**

On page 8, line 5, after "schools" and before "may" insert "and rural schools that have not been designated as failing schools but are located in disadvantaged geographical areas"

**AMENDMENT NO. 7**

On page 8, at the end of line 19, delete the period "." and add "or in a rural school that has not been designated as a failing school but is located in a disadvantaged geographical area."

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1956—**  
BY REPRESENTATIVE WELCH  
AN ACT

To enact R.S. 40:2405.4, relative to peace officers; to require applicants for jobs as peace officers to provide a DNA sample and fingerprint prior to commencing the discharge of duties as a peace officer; to require law enforcement agencies to conduct criminal background checks of applicants for the job of peace officers; to provide for voluntary testing of currently employed peace officers; to provide for the adoption of rules; to provide for storage of DNA material and procedures prior to testing; to provide for purposes for which the DNA may be tested; to provide for alternative samples; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1956 by Representative Welch

**AMENDMENT NO. 1**

On page 1, line 8, after "rules;" and before "to" insert "to provide for storage of DNA material and procedures prior to testing; to provide for purposes for which the DNA may be tested; to provide for alternative samples;"

**AMENDMENT NO. 2**

On page 1, line 13, after "person" and before "a peace" delete "applying for the job of" and insert in lieu thereof "being hired as"

**AMENDMENT NO. 3**

On page 2, line 7, after "material" change the comma "," to a period "." and delete the remainder of the line in its entirety

**AMENDMENT NO. 4**

On page 2, delete line 8 in its entirety and insert in lieu thereof the following:

"C. Any person hired as a peace officer with a law enforcement agency on or after August 15, 2003, shall have his DNA tested by the taking of a follicle of his hair. A person currently employed as a peace officer may authorize that his DNA be tested by the taking of a follicle of his hair.

D. The DNA material collected pursuant to the provisions of this Section shall be stored in a secure and protective manner and location.

E. Before any DNA material may be tested, the peace officer shall be notified in writing, and the peace officer must give his written consent to his DNA material being tested before any such procedure, testing, or analysis is undertaken.

F. If the peace officer does not consent in writing to the testing of his DNA, the DNA of an individual peace officer may be tested only upon a showing of probable cause before the judge who issues the court order authorizing the testing of the DNA of the peace officer.

G. To ensure privacy rights of each peace officer who gives a DNA sample, the DNA may only be used, tested, or released for either of the following two purposes:

(1) Upon a finding of probable cause by a judge in a criminal case that the peace officer has committed a criminal act, unless the peace officer consents in writing to another use, testing, or release of the DNA.

(2) Upon the death of a peace officer and the use of the DNA is necessary to provide a positive identification of the decedent."

AMENDMENT NO. 5

On page 2, at the beginning of line 9, change "C." to "H."

AMENDMENT NO. 6

On page 2, at the end of line 9, after "police" insert a comma ", after receiving input from local law enforcement agencies and local law enforcement officers."

AMENDMENT NO. 7

On page 2, at the beginning of line 14, change "B." to "I."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1966—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To enact Part VI-E of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.41 through 250.47, and to repeal R.S. 22:230.3, relative to health insurance coverage; to provide with respect to billing of enrollees and insureds by contracted health care providers and certain noncontracted facility-based health care providers; to provide for notice and disclosure to enrollees and insureds by health insurance issuers and health care facilities relative to identification of noncontracted providers and contract relationships which could result in billing of insureds or enrollees; to provide for penalties and enforcement; to provide with respect to the authority of the commissioner of insurance and the attorney general; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1966 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 11, after "noncontracted" change "provider" to "providers"

AMENDMENT NO. 2

On page 1, at the end of line 14, delete "to create and", delete line 15 in its entirety and at the beginning of line 16, delete "Commission;"

AMENDMENT NO. 3

On page 7, line 11, after "DETERMINED" delete the remainder of the line and insert "THAT THIS SERVICE OR A PORTION OF THESE"

AMENDMENT NO. 4

On page 12, line 24, after "§250.47." delete "Cease and desist order:" and insert "Complaint; notice:"

AMENDMENT NO. 5

On page 13, line 2, after "insured." delete the remainder of the line, delete lines 3 and 4 in their entirety and insert "may file a complaint with the Consumer Protection Division of the Department of Justice."

AMENDMENT NO. 6

On page 13, line 21, after "general" delete the remainder of the line, delete lines 22 through 25 in their entirety and insert "may pursue remedies as provided for in R.S. 15:1401, et seq., beginning with a notice of unfair trade practices."

AMENDMENT NO. 7

On page 14, line 5, after "of the" delete the remainder of the line, delete line 6 in its entirety and insert "notice of unfair trade practices."

AMENDMENT NO. 8

On page 14, line 7, after "The" delete the remainder of the line and insert "notice of unfair trade practices shall be satisfied by the attorney"

AMENDMENT NO. 9

On page 14, line 8, after "within" change "ten" to "thirty"

AMENDMENT NO. 10

On page 14, line 12, after "a" delete "cease and desist order." and insert "notice of unfair trade practices."

AMENDMENT NO. 11

On page 14, at the end of line 12, delete "refer", delete lines 13 through 15 in their entirety and insert "may proceed in accordance with the Unfair Trade Practices and Consumer Protection Law, R.S. 51:1401, et seq."

AMENDMENT NO. 12

On page 15, delete lines 19 through 26 in their entirety

AMENDMENT NO. 13

Delete pages 16 through 18 in their entirety

AMENDMENT NO. 14

On page 19, delete lines 1 through 11 in their entirety

AMENDMENT NO. 15

On page 19, line 12, after "Section" change "4." to "2."

AMENDMENT NO. 16

On page 19, line 13, after "Section" change "5." to "3."

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1973—**

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 42:1118.1, relative to the separation of powers; to prohibit the governor, governor-elect, and candidates in the general election for governor from taking any action to influence the selection of legislative officers, including committee officers; to provide legislative findings; to provide for enforcement and penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1981—**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:106.2, relative to offenses affecting the general peace and order; to prohibit the engaging of certain sexual acts in public; to provide for criminal penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading  
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 46—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 17:3048.1(W), relative to the Tuition Opportunity Program for Students; to provide for the use of awards at eligible Louisiana colleges and universities by students who are otherwise qualified for a program award and who enroll as first-time freshmen in an out-of-state college or university; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 138—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.24, relative to health insurance; to provide for health insurance coverage for services rendered by registered nurse first assistants; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, after "shall" delete the remainder of the line and insert "not deny coverage of the perioperative registered nurse first assistant"

AMENDMENT NO. 2

On page 2, at the beginning of the line 4, delete "such coverage, all"

AMENDMENT NO. 3

On page 2, line 6, at the end of the line delete the period "." and insert the following:

"if the insurer covers the same such perioperative RNFA services when they are rendered by an advanced practice registered nurse, a physician assistant, or a physician other than the operating surgeon."

AMENDMENT NO. 4

On page 2, between lines 13 and 14, add the following:

"C. As used in this Section:

(1) "Perioperative nursing" means a practice of nursing in which the nurse provides preoperative, intraoperative, and postoperative nursing care to surgical patients.

(2) "Recognized program" means a program that address all content of the core curriculum for registered nurse first assistant as established by the Association of Operating Room Nurses or its successor organization.

(3) "Registered nurse first assistant" or "RNFA" means a person who has met all of the following requirements:

(a) Is licensed as a registered nurse in accordance with state law.

(b) Is experienced in perioperative nursing.

(c) Has successfully completed a recognized program."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Insurance on line 18, following "that" and before "all" change "address" to "addresses"

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 150—**  
BY SENATORS DUPRE AND HAINKEL  
AN ACT

To enact R.S. 22:1476, relative to a public adjuster; to provide that certain contracts between a public adjuster and an insured are null and void; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 229—**  
BY SENATOR HOLLIS  
AN ACT

To enact R.S. 22:1193(K), relative to continuing education requirements for renewal of insurance licenses; to provide for the granting of continuing education credits to certain licensed agents and brokers active for participation in certain industry organizations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 298—**  
BY SENATOR HINES  
AN ACT

To enact R.S. 40:1299.36.7 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session, relative to human cloning; to provide for an expiration date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 364—**  
BY SENATORS THEUNISSEN AND MOUNT  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the duration of residency required for an independent and a dependent student; to provide relative to the eligibility of the dependent child of a member of the United States Armed Forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; to revise certain citizenship requirements; to reinstate awards to certain students based on citizenship status; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 364 by Senators Theunissen and Mount

AMENDMENT NO. 1

On page 3, line 8, after "(aa)" and before the comma ", " insert "of this Item"

AMENDMENT NO. 2

On page 3, line 16, after "(aa)" and before the comma ", " insert "of this Item"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 420—**  
BY SENATOR MCPHERSON  
AN ACT

To enact R.S. 22:10, relative to health insurance; to require the Department of Insurance to provide an annual assessment of state and federal health issues relating to a patient's bill of rights; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 459—**  
BY SENATORS CAIN, MCPHERSON, MOUNT, SCHEDLER AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility of the dependent child of a member of the United

States armed forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 459 by Senator Cain

##### AMENDMENT NO. 1

On page 2, line 26, after "than" and before "days" change "sixty" to "one hundred eighty"

##### AMENDMENT NO. 2

On page 3, delete lines 11 through 21 and insert in lieu thereof the following:

"(bb) Notwithstanding the requirements of Subitem (aa) of this Item, a student who graduates from a public or approved nonpublic high school in Louisiana in the 2000-2001 school year or thereafter shall be deemed to meet the residency requirements of this Item if the student is a citizen of the United States and resides in this state for the period of his last two full years of high school culminating in graduation as certified by the high school and the student is the dependent child of a nonresident member of the United States armed forces who is residing in this state under permanent change of station orders but who does not claim Louisiana as his state of legal residence."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

##### SENATE BILL NO. 474—

BY SENATOR THOMAS

##### AN ACT

To amend and reenact R.S. 22:5(9)(b), relative to the payment of professional malpractice or public liability claims by statewide hospital associations; to provide that the payment of claims against hospitals which are members of the association and members of societies of the association shall not be deemed to be insurance; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

#### Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

##### HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH

##### A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Frith, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

##### HOUSE BILL NO. 86—

BY REPRESENTATIVE MURRAY

##### A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to increase the mandatory retirement age of judges to seventy-five years of age; to provide for an effective date; to provide for applicability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Murray, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

#### Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

#### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### Regular Calendar

##### HOUSE BILL NO. 134—

BY REPRESENTATIVE PINAC

##### AN ACT

To amend and reenact R.S. 49:968(B)(12), relative to administrative procedure; to require rules promulgated by the office of the state fire marshal, code enforcement and building safety, to be submitted to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker

Fruge

Perkins



Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Katz	Walsworth
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 221—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact Code of Criminal Procedure Article 885.1, relative to criminal penalties; to provide relative to the suspension of a driver's license for failing to pay fines assessed as a criminal penalty within a certain period of time; to provide for the issuance of a temporary permit; to provide for notice; to provide for the duration of the suspension; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hudson	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devilleir	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	McDonald	Tucker
Downer	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Nevers	Wooton
Farrar	Odinet	Wright
Faucheux	Perkins	
Flavin	Peychaud	
Total—94		

NAYS

Carter, K	Glover	Murray
Frige	Hunter	Romero
Total—6		

ABSENT

Curtis	Lucas	Walsworth
Heaton	Martiny	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Sneed, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**HOUSE BILL NO. 262—**

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 14:98(A)(1)(b) and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 661.1(C)(1)(c), 662(A)(1)(a), (b), and (c), 667(A)(introductory paragraph) and (3) and (B)(1), and 668(A)(4) and (B)(1)(b), all as amended by Act No. 781 of the

2001 Regular Session of the Legislature effective September 30, 2003, and to enact R.S. 32:662(A)(1)(e), relative to operating a vehicle while intoxicated; to provide that a blood alcohol concentration of 0.05 percent or more is the applicable measure for purposes of certain instances of operating a vehicle while intoxicated; to provide relative to the issuance of a restricted driver's license; to provide relative to the administration of chemical tests and the use of results as evidence; to provide relative to the suspension of driver's licenses; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 262 by Representative Farrar

##### AMENDMENT NO. 1

On page 7, line 4, following the comma "," and before "is" change "which" to "whichever"

##### AMENDMENT NO. 2

On page 7, line 17, following "0.05 percent," and before "is" change "which" to "whichever"

##### AMENDMENT NO. 3

On page 9, line 7, following "0.05 percent or above," and before "is" change "which" to "whichever"

On motion of Rep. Salter, the amendments were adopted.

Rep. Townsend sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 262 by Representatives Farrar

##### AMENDMENT NO. 1

On page 2, line 12, after "times" and before "for" insert "within a five year time period"

##### AMENDMENT NO. 2

On page 2, line 11, after "times" and before "for" insert "within a five year period"

On motion of Rep. Townsend, the amendments were adopted.

Rep. Farrar moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Alexander	Erdey	Nevers
Ansardi	Fannin	Perkins
Baldone	Farrar	Powell

Baudoin	Flavin	Salter
Baylor	Frith	Scalise
Beard	Futrell	Schneider
Broome	Gallot	Shaw
Bruce	Hebert	Smith, J.D.—50th
Carter, R	Hill	Smith, J.H.—8th
Cazayoux	Hopkins	Smith, J.R.—30th
Crane	Iles	Stelly
Crowe	Johns	Thompson
Curtis	Katz	Triche
Dartez	Kennard	Tucker
Doerge	Kenney	Waddell
Downs	LeBlanc	Walker
Durand	McDonald	Walsworth
Total—51		

##### NAYS

Mr. Speaker	Heaton	Peychaud
Alario	Honey	Pierre
Arnold	Hudson	Pinac
Bowler	Hunter	Pitre
Bruneau	Hutter	Quezaire
Capella	Jackson, L	Richmond
Carter, K	Jackson, M	Romero
Damico	LaFleur	Schwegmann
Daniel	Lancaster	Smith, G.—56th
Devillier	Landrieu	Sneed
Diez	Lucas	Strain
Downer	Martiny	Swilling
Faucheux	McVea	Toomy
Fruge	Montgomery	Townsend
Glover	Morrell	Welch
Green	Morrish	Winston
Guillory	Murray	Wooton
Hammett	Odinet	
Total—53		

##### ABSENT

Wright  
Total—1

The Chair declared the above bill failed to pass.

Rep. Heaton moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 278— BY REPRESENTATIVE CRANE

##### AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e), relative to the Tuition Opportunity Program for Students high school core curriculum requirements specified for certain awards; to provide for the number and type of units that must be successfully completed by students for program eligibility; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Erdey	Pitre
Alexander	Farrar	Powell

Ansardi	Faucheux	Scalise
Arnold	Frith	Schneider
Baldone	Fruge	Shaw
Baudoin	Futrell	Smith, G.—56th
Beard	Hebert	Smith, J.D.—50th
Bowler	Katz	Smith, J.H.—8th
Bruneau	Kennard	Sneed
Capella	LaFleur	Toomy
Cazayoux	Lancaster	Townsend
Crane	Martiny	Tucker
Crowe	Montgomery	Waddell
Dartez	Nevers	Walker
Devillier	Odinet	Walsworth
Diez	Perkins	Winston
Downs	Pinac	
Total—50		

## NAYS

Alario	Heaton	Morrish
Baylor	Hill	Murray
Broome	Honey	Psychaud
Bruce	Hopkins	Pierre
Carter, K	Hunter	Quezaire
Carter, R	Hutter	Richmond
Curtis	Iles	Romero
Damico	Jackson, L	Salter
Doerge	Jackson, M	Schwegmann
Durand	Johns	Smith, J.R.—30th
Fannin	Kenney	Strain
Flavin	Landrieu	Swilling
Gallot	LeBlanc	Thompson
Glover	Lucas	Triche
Green	McDonald	Welch
Guillory	McVea	Wooton
Hammett	Morrell	Wright
Total—51		

## ABSENT

Daniel	Hudson
Downer	Stelly
Total—4	

The Chair declared the above bill failed to pass.

Rep. McDonald moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 367—**

BY REPRESENTATIVE R. CARTER

## AN ACT

To amend and reenact R.S. 22:658(A)(4) and (B)(1), relative to insurance claims; to provide for penalties for failure to make a written offer to settle to third-party claimants; and to provide for related matters.

Read by title.

Rep. Robert Carter moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. Speaker	Frith	Nevers
Alario	Futrell	Odinet
Alexander	Gallot	Perkins

Ansardi	Glover	Psychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Broome	Hill	Richmond
Bruce	Honey	Romero
Bruneau	Hopkins	Salter
Capella	Hudson	Scalise
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Welch
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	
Flavin	Murray	
Total—97		

## NAYS

Bowler	Morrish
Fruge	Tucker
Total—4	

## ABSENT

Schneider	Walsworth
Swilling	Wright
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Robert Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 404—**

BY REPRESENTATIVES HUDSON, CURTIS, LAFLEUR, MORRELL, NEVERS, JACK SMITH, TRICHE, WELCH, WINSTON, BRUCE, ROMERO, AND SNEED

## AN ACT

To enact R.S. 14:79.2 and R.S. 46:2143, relative to domestic abuse assistance; to authorize the use of electronic monitoring equipment in certain domestic violence cases; to require the court to specify the terms of electronic monitoring; to provide for minimum requirements of electronic monitoring; to create the crime of tampering with electronic monitoring equipment; to provide for criminal penalties; and to provide for related matters.

Read by title.

Rep. Hudson moved the final passage of the bill.

**ROLL CALL**

## Page 36 HOUSE

26th Day's Proceedings - May 19, 2003

The roll was called with the following result:

### YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinot
Alexander	Gallot	Perkins
Ansardi	Glover	Psychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Sneed
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Frith	Murray	Wright
Total—102		

### NAYS

Total—0

### ABSENT

Flavin	Smith, J.R.—30th	Stelly
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hudson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 439—

BY REPRESENTATIVE MARTINY

### AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(c)(iii), relative to the Tuition Opportunity Program for Students Performance Award; to provide eligibility requirements for an initial award; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. McDonald moved that the bill be recommitted to the Committee on Appropriations.

Rep. Martiny objected.

A record vote was asked for and ordered by the House.

### ROLL CALL

The roll was called with the following result:

### YEAS

Alexander	Honey	Richmond
Baudoin	Hopkins	Salter
Bruce	Hunter	Shaw
Carter, R	Jackson, M	Smith, J.H.—8th
Curtis	Katz	Swilling
Downer	Kenney	Thompson
Fannin	McDonald	Waddell
Fruge	McVea	Welch
Guillory	Murray	Wright
Hammett	Psychaud	
Heaton	Quezaire	
Total—31		

### NAYS

Mr. Speaker	Erdey	Perkins
Alario	Farrar	Pierre
Ansardi	Faucheux	Pinac
Arnold	Frith	Pitre
Baldone	Futrell	Powell
Beard	Gallot	Romero
Bowler	Hebert	Scalise
Bruneau	Hudson	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Kennard	Sneed
Crowe	LaFleur	Strain
Damico	Landrieu	Toomy
Daniel	LeBlanc	Townsend
Devillier	Martiny	Tucker
Diez	Montgomery	Walker
Doerge	Morrish	Walsworth
Downs	Nevers	Winston
Durand	Odinot	Wooton
Total—60		

### ABSENT

Baylor	Green	Morrell
Broome	Hill	Smith, J.R.—30th
Dartez	Jackson, L	Stelly
Flavin	Lancaster	Triche
Glover	Lucas	
Total—14		

The House refused to recommit the bill to the Committee on Appropriations.

Rep. Martiny moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Faucheux	Perkins
Alario	Flavin	Pinac
Ansardi	Frith	Pitre
Arnold	Futrell	Powell

Baldone	Gallot	Romero
Beard	Guillory	Scalise
Bowler	Hammett	Schneider
Bruneau	Heaton	Schwegmann
Capella	Hebert	Shaw
Carter, R	Hudson	Smith, G.—56th
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Iles	Smith, J.H.—8th
Crowe	Jackson, L	Sneed
Curtis	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Doerge	Lucas	Waddell
Downs	Martiny	Walker
Durand	Montgomery	Winston
Erdey	Nevers	Wooton
Farrar	Odinet	
Total—71		

NAYS

Alexander	Hill	Murray
Baudoin	Hopkins	Peychaud
Broome	Hunter	Pierre
Bruce	Katz	Quezaire
Carter, K	Kennard	Richmond
Downer	Kenney	Salter
Fannin	McDonald	Thompson
Fruge	McVea	Walsworth
Glover	Morrell	Welch
Green	Morrish	Wright
Total—30		

ABSENT

Baylor	Smith, J.R.—30th
Honey	Swilling
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 494— BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Criminal Procedure Article 671(A)(3) and (B) and to enact Code of Criminal Procedure Article 671(C), relative to recusation of judges; to provide relative to grounds for recusation of a judge involving association with another attorney; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Perkins
Alario	Faucheux	Peychaud

Alexander	Flavin	Pinac
Arnold	Frith	Pitre
Baldone	Fruge	Powell
Baudoin	Futrell	Richmond
Baylor	Green	Romero
Beard	Heaton	Salter
Bowler	Hebert	Scalise
Broome	Hill	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Stelly
Crowe	Kennard	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Triche
Devillier	Lucas	Tucker
Diez	Martiny	Waddell
Doerge	McDonald	Walker
Downer	McVea	Walsworth
Downs	Montgomery	Welch
Durand	Morrish	Winston
Erdey	Nevers	Wooton
Fannin	Odinet	Wright
Total—90		

NAYS

Gallot	Hunter	Quezaire
Glover	Morrell	Townsend
Guillory	Murray	
Honey	Pierre	
Total—10		

ABSENT

Ansardi	Hudson	Sneed
Hammett	Lancaster	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 549— BY REPRESENTATIVE FUTRELL AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students Opportunity Award; to provide eligibility requirements, including minimum scores on certain tests; and to provide for related matters.

Read by title.

Rep. Perkins sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 549 by Representative Futrell

#### AMENDMENT NO. 1

## Page 38 HOUSE

26th Day's Proceedings - May 19, 2003

On page 1, line 2, after "17:3048.1(A)(a)(b)(i)" and before "relative" delete the comma "," and add "and to enact R.S. 17:3048.1(W),"

### AMENDMENT NO. 2

On page 1, line 3, after "Students" and before "to provide" change "Opportunity Award;" to "awards;"

### AMENDMENT NO. 3

On page 1, line 4, after "tests;" and before "and" insert "to provide conditions and limitations; to provide for effectiveness;"

### AMENDMENT NO. 4

On page 1, at the beginning of line 8, insert "and R.S. 17:3048.1(W) is hereby enacted"

### AMENDMENT NO. 5

On page 2, after line 20, add the following:

"W.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a program award pursuant to this Section provided each of the following conditions are met:

(a) The student has been certified by the principal or headmaster to have graduated at the twelfth grade level during the 2002-2003 school year or thereafter from a Louisiana nonpublic high school. For the purposes of this Subsection nonpublic high school means a school that has not sought to be approved by the State Board of Elementary and Secondary Education but is a school of appropriate grade level as school is defined by R.S. 17:236 for general school law purposes, including for compulsory school attendance.

(b) The student meets applicable residency requirements established by or pursuant to this Section.

(c) As applicable to the respective awards, the student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(d) Unless granted an exception for cause by the administering agency, the student has enrolled in a Louisiana public postsecondary institution as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student's initial application is received by the administering agency or, if the student joins the United States Armed Forces within one year after completing the home study program, has enrolled in a Louisiana public postsecondary institution as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student's initial application is received by the administering agency.

(e) The student meets the eligibility requirements provided in Subparagraph A(1)(f) of this Section."

Rep. Perkins moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 37 yeas and 63 nays, the amendments were rejected.

Rep. Futrell moved the final passage of the bill.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Flavin	Perkins
Alario	Frith	Pinac
Alexander	Fruge	Pitre
Ansardi	Futrell	Powell
Arnold	Gallot	Quezaire
Baldone	Green	Romero
Baudoin	Hammett	Salter
Baylor	Heaton	Scalise
Beard	Hebert	Schneider
Bowler	Hill	Schwegmann
Broome	Honey	Shaw
Bruce	Hopkins	Smith, G.—56th
Bruneau	Hudson	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, K	Iles	Smith, J.R.—30th
Carter, R	Jackson, L	Sneed
Cazayoux	Jackson, M	Stelly
Crane	Johns	Strain
Crowe	Katz	Swilling
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaFleur	Townsend
Dartez	Landrieu	Triche
Devillier	LeBlanc	Tucker
Diez	Lucas	Waddell
Doerge	Martiny	Walker
Downer	McDonald	Walsworth
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Nevers	
Total—94		

#### **NAYS**

Glover	Murray	Pierre
Guillory	Odinet	Richmond
Hunter	Peychaud	Welch
Total—9		

#### **ABSENT**

Downs	Lancaster
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Futrell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### **HOUSE BILL NO. 575—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), (4)(a)(iii), (B)(3)(a), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), (P)(1)(a), and (Q)(1)(a) and (b) and to repeal R.S. 17:3048.1(M), relative to the Tuition Opportunity Program for Students; to provide relative to residency and citizenship requirements; to provide relative to the adoption of certain rules by the administering agency, including guidelines and procedures permitting the administering agency to

receive and consider certain test scores of an applicant that are obtained on a testing date during a specified time period in the year of the applicant's graduation from high school; to provide relative to a student who initially qualifies for more than one program award; to refer to court-ordered custodians rather than legal guardians; to provide relative to the reinstatement of award benefits to certain students; to provide relative to the eligibility of students graduating from certain out-of-state high schools; to remove provisions relative to the presentation of certain certificates of achievement and the procedures for doing so; and to provide for related matters.

Read by title.

On motion of Rep. Crane, the bill was recommitted to the Committee on Appropriations.

#### **HOUSE BILL NO. 644—**

BY REPRESENTATIVE CRANE

#### **AN ACT**

To enact R.S. 17:3048.1(W), relative to the Tuition Opportunity Program for Students TOPS-Tech and Opportunity awards; to provide eligibility for such awards for certain students who receive high school equivalency diplomas from the state Department of Education; to provide conditions and limitations; to provide for effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Crane, the bill was recommitted to the Committee on Appropriations.

#### **HOUSE BILL NO. 665—**

BY REPRESENTATIVE DOERGE

#### **AN ACT**

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii) and to enact R.S. 17:3048.1(C)(4), relative to residency requirements for participation by dependent students in the Tuition Opportunity Program for Students; to provide that such students who meet specified guidelines shall be residents for award eligibility purposes; to provide for effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Doerge moved the final passage of the bill.

#### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Faucheux	Nevers
Alario	Flavin	Odinot
Arnold	Frith	Romero
Baldone	Gallot	Salter
Beard	Glover	Schneider
Bowler	Hammett	Schwegmann
Bruce	Heaton	Shaw
Carter, R	Hebert	Smith, J.D.—50th
Cazayoux	Hill	Smith, J.H.—8th
Crane	Hunter	Smith, J.R.—30th
Crowe	Hutter	Stelly
Damico	Iles	Strain
Daniel	Johns	Townsend
Dartez	Kennard	Triche
Diez	LaFleur	Waddell

Doerge  
Downs  
Farrar  
Total—54

Lancaster  
McVea  
Montgomery

Walker  
Wooton  
Wright

#### **NAYS**

Alexander  
Ansardi  
Baylor  
Broome  
Bruneau  
Capella  
Carter, K  
Curtis  
Downer  
Fannin  
Frige  
Futrell  
Green  
Guillory  
Honey  
Hopkins  
Total—47

Hudson  
Jackson, L  
Jackson, M  
Katz  
Kenney  
Landrieu  
LeBlanc  
Lucas  
Martiny  
McDonald  
Morrell  
Morrish  
Murray  
Perkins  
Peychaud  
Pierre

Pinac  
Pitre  
Powell  
Quezaire  
Richmond  
Scalise  
Smith, G.—56th  
Sneed  
Swilling  
Thompson  
Toomy  
Tucker  
Walsworth  
Welch  
Winston

#### **ABSENT**

Baudoin  
Devillier  
Total—4

Durand  
Erdey

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### **HOUSE BILL NO. 690—**

BY REPRESENTATIVE FARRAR

#### **AN ACT**

To amend and reenact R.S. 14:98(K)(2) and R.S. 32:378.2(A)(2)(a)(i), (ii), (iii), and (iv) as amended by Act No. 781 of the 2001 Regular Session of the Legislature effective September 30, 2003, 414(A)(1)(b), (B)(2), and (D)(1), 430(F)(1), 667(B)(3), and 668(B)(1)(c), relative to operating a vehicle while intoxicated; to provide for eligibility to receive a restricted driver's license; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

#### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 690 by Representative Farrar

#### **AMENDMENT NO. 1**

On page 7, line 11, following "32:401" change "(20)" to "(10)"

On motion of Rep. Salter, the amendments were adopted.

#### **Motion**

On motion of Rep. Farrar, the bill, as amended, was returned to the calendar.

## Page 40 HOUSE

26th Day's Proceedings - May 19, 2003

### HOUSE BILL NO. 720— BY REPRESENTATIVE HILL

#### AN ACT

To amend and reenact Children's Code Article 791.1, relative to the truancy and assessment and service center pilot program; to authorize the creation of a truancy and assessment and service center in the parish of Allen; and to provide for related matters.

Read by title.

Rep. Hill moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Waddell
Downs	McVea	Walker
Fannin	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—99		

##### NAYS

Total—0

##### ABSENT

Durand	Farrar	Shaw
Erdey	LeBlanc	Tucker
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hill moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 980— BY REPRESENTATIVES SNEED AND LANCASTER

#### AN ACT

To amend and reenact R.S. 49:968(C)(1), relative to the Administrative Procedure Act; to require that the copy of a rule as it is proposed for adoption, amendment, or repeal provided to the appropriate legislative oversight committee be in a certain form; and to provide for related matters.

Read by title.

Rep. Sneed moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

##### NAYS

Total—0

##### ABSENT

Durand	Hudson
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.



Rep. Sneed moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 1018—**

BY REPRESENTATIVE JOHNS

## **AN ACT**

To amend and reenact R.S. 37:1178 and to enact R.S. 37:1182(A)(22), (23), and (24), 1216, and 1217, relative to the Louisiana Pharmacy Practice Act; to provide for expense reimbursement for Louisiana Board of Pharmacy members; to provide the board the authority to conduct criminal background checks; to provide the board the authority to conduct identification verification; to provide the board the authority to require evaluations; and to provide for related matters.

Read by title.

Rep. Johns sent up floor amendments which were read as follows:

## **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed House Bill No. 1018 by Representative Johns

### AMENDMENT NO. 1

On page 4, line 25, after "a" delete "reasonable"

### AMENDMENT NO. 2

On page 4, line 25, after "fee" insert "pursuant to R.S. 15:587"

On motion of Rep. Johns, the amendments were adopted.

Rep. Johns moved the final passage of the bill, as amended.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend

Downer  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Fauchaux  
Flavin  
Frith

Total—104

Lucas  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray  
Nevers

Triche  
Tucker  
Waddell  
Walker  
Walsworth  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Welch

Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 1049—**

BY REPRESENTATIVE WELCH

## **AN ACT**

To repeal R.S. 37:2810(C)(3), relative to the licensing of chiropractors; to repeal the time limitations placed on an inactive license status.

Read by title.

Rep. Welch moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche

## Page 42 HOUSE

26th Day's Proceedings - May 19, 2003

Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—105		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Welch moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1336—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 17:3048.1(W), to provide for the use of certain Tuition Opportunity Program for Students awards at eligible Louisiana colleges and universities by students who are otherwise qualified for a program award and who enroll as first-time freshmen in an out-of-state college or university; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Daniel, the bill was returned to the calendar.

### HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON

AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Baylor, the bill was returned to the calendar.

### HOUSE BILL NO. 1851—

BY REPRESENTATIVES DEVILLIER, FARRAR, AND BRUCE

AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

Read by title.

Rep. Devillier moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—102

NAYS

Total—0

ABSENT

Faucheux	Katz	Tucker
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Devillier moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 2015 (Substitute for House Bill No. 993 by Representative LaFleur)—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741 through 1741.3, relative to telecommunications; to provide relative to unsolicited commercial electronic mail advertisements; to provide for definitions; to prohibit certain activities; to require certain disclosures and the maintenance of certain electronic mail addresses; to provide relative to electronic mail addresses provided by an employer; to provide for civil actions and damages; and to provide for related matters.

Read by title.

Rep. LaFleur sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed House Bill No. 2015 by Representative LaFleur

##### AMENDMENT NO. 1

On page 8, line 16, change "greater" to "lesser"

On motion of Rep. LaFleur, the amendments were adopted.

Rep. LaFleur moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Fauchoux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—100		

##### NAYS

Katz  
Total—1

##### ABSENT

Bruneau	Schneider
Cazayoux	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFleur moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### **HOUSE BILL NO. 2016 (Substitute for House Bill No. 1060 by Representative Beard)—** BY REPRESENTATIVE BEARD

##### AN ACT

To enact Chapter 17 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2391 through 2400, and R.S. 36:359(K), relative to reclaimed water; to establish a reclaimed water program; to provide for definitions; to prohibit the use of potable water for certain purposes if reclaimed water is available; to create and provide for the powers and duties of the Louisiana Ground Water Resources Commission's Committee on Reclaimed Water; to provide for the use of revenue collected from the sale of reclaimed water; to establish fees and penalties; to create a drought-proof supply of water for industry; and to provide for related matters.

Read by title.

Rep. Beard sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beard to Engrossed House Bill No. 2016 by Representative Beard

##### AMENDMENT NO. 1

On page 3, at the end of line 3, delete "water, at" and at the beginning of line 4, delete "a minimum," and insert "water"

##### AMENDMENT NO. 2

On page 3, line 4, after "meet" and before "the" insert "all applicable state and federal water quality standards and"

##### AMENDMENT NO. 3

On page 4, line 11, after "use" delete the remainder of the line and at the beginning of line 12, delete "including" and insert "to irrigate the grassy areas of"

##### AMENDMENT NO. 4

On page 7, line 4, after "water" and before "when" insert "to irrigate grassy areas"

On motion of Rep. Beard, the amendments were adopted.

Rep. Schneider sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 2016 by Representative Beard

##### AMENDMENT NO. 1

On page 5, line 15, after "subdivisions" and before "award" change "may" to "shall"

## Page 44 HOUSE

26th Day's Proceedings - May 19, 2003

### AMENDMENT NO. 2

On page 5, at the beginning of line 17, change "without" to "with"

### AMENDMENT NO. 3

On page 5, delete lines 18 and 19 in their entirety.

On motion of Rep. Schneider, the amendments were adopted.

Rep. Beard moved the final passage of the bill, as amended.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Alexander	Hammett	Pierre
Baudoin	Honey	Powell
Beard	Hudson	Quezaire
Broome	Hunter	Richmond
Bruce	Hutter	Romero
Capella	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Curtis	Jackson, M	Smith, G.—56th
Daniel	Johns	Smith, J.H.—8th
Doerge	Kenney	Smith, J.R.—30th
Erdey	LeBlanc	Swilling
Faucheux	Lucas	Triche
Flavin	McVea	Tucker
Frith	Montgomery	Waddell
Gallot	Morrell	Walker
Glover	Murray	Welch
Green	Perkins	
Guillory	Peychaud	
Total—52		

#### **NAYS**

Mr. Speaker	Farrar	Pinac
Alario	Fruge	Pitre
Ansardi	Heaton	Salter
Arnold	Hebert	Schneider
Baylor	Hill	Smith, J.D.—50th
Bowler	Hopkins	Sneed
Bruneau	Katz	Strain
Carter, R	Kennard	Thompson
Damico	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Walsworth
Diez	Martiny	Wooton
Downer	McDonald	Wright
Downs	Morrish	
Fannin	Nevers	
Total—43		

#### **ABSENT**

Baldone	Durand	Stelly
Carter, K	Futrell	Winston
Crane	Odinet	
Crowe	Scalise	
Total—10		

Failed to pass.

Motion to reconsider pending.

### **Suspension of the Rules**

On joint motion of Reps. Daniel, Shaw, and Jane Smith, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

### **Senate Bills and Joint Resolutions on Third Reading and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### **Local and Consent Calendar**

#### **SENATE BILL NO. 551—**

BY SENATORS B. JONES AND HOYT AND REPRESENTATIVE LANDRIEU  
AN ACT

To amend and reenact R.S. 36:459(A), R.S. 47:301(2), (3)(b), introductory paragraph of (4), (4)(a), (b), (c), (h), (j), and (l), (8)(b), (10)(a)(i), (ii), and (vi), (b), (c), and (l), (14)(g)(i) and (i)(i), (15), (16)(d)(i) and (i), (h)(i), (ii), (iii), and (iv), and (i), (18)(a)(i), and (19), 302(D), 305(A), (B), (C), the introductory paragraph of (D)(1), (D)(1)(j), (k), (l), (m), (n), (o), (p), (q), (r), (s), and (u), (2), (3), and (4), (E), (F), (G), and (H), 305.1(A) and (B), 305.3, 305.6, 305.7, 305.8, 305.13, 305.14(A)(1), 305.19, 305.26, 305.31(B), 305.36(A), 305.39, the introductory paragraph of 305.40(A), 305.42, and 305.48, to enact R.S. 47:301(25), (26), and (27), and Chapter 2D of Subtitle II of Title 47 of the Louisiana Revised Statutes to be comprised of R.S. 47:337.1 through 337.87, and R.S. 36:459(H), and to repeal R.S. 33:2713.1, 2716(A), 2716.1, 2716.2, 2717, 2718, 2718.1, 2718.2, 2718.3, 2718.4, 2718.5, 2719, 2720, 2720.1, 2737(G), 2741.1, 2844, 2844.1, 2844.2, 2845, 2845.1, 2846, and 2847, and R.S. 47:1515, relative to the sales and use tax of political subdivisions; to enact a uniform local sales tax code; to provide for the levy, collection, enforcement, and administration of local sales and use taxes; to provide for certain civil and criminal penalties; to provide for construction and interpretation of the code; to prohibit the state from assuming collection of local sales and use taxes; and to provide for related matters.

Read by title.

Rep. Landrieu moved the final passage of the bill.

#### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hill	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Broome	Hunter	Schneider
Bruce	Hutter	Schwegmann
Bruneau	Iles	Shaw
Capella	Jackson, L	Smith, G.—56th
Carter, K	Jackson, M	Smith, J.D.—50th
Carter, R	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly

Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Frige	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Dartez	Hebert
Downs	Honey
Total—4	

The Chair declared the above bill was finally passed.

Rep. Landrieu moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 1029—**

BY SENATORS HOLLIS AND B. JONES

AN ACT

To amend and reenact R.S. 51:2452(A), 2453(1)(b)(i), and 2453(4), relative to the quality jobs program; to provide that out-of-state employees relocating to Louisiana qualify as "new direct jobs" under the "Louisiana Quality Jobs Program Act"; to provide for technical and grammatical changes and for an effective date; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed

Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Doerge	Lucas	Waddell
Downer	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Beard	Jackson, L	Stelly
Downs	Morrish	Swilling
Hebert	Richmond	
Total—8		

The Chair declared the above bill was finally passed.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Regular Calendar****SENATE BILL NO. 367—**

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 32:429.3, relative to the office of motor vehicles; to require the office of motor vehicles to collect and report certain statistical information; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Nevers
Alario	Frige	Odinet
Alexander	Futrell	Perkins
Ansardi	Gallot	Peychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th

## Page 46 HOUSE

26th Day's Proceedings - May 19, 2003

Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wright
Flavin	Murray	
Total—98		

NAYS

Total—0

ABSENT

Downs	Richmond	Wooton
Glover	Stelly	
Morrish	Walsworth	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### SENATE BILL NO. 381— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2074(A)(4) and (B)(8), 2080, 2081, 2083, and R.S. 40:2821(B)(4) and (5), 2822(1), 2824, 2825(A)(2)(c) and (f), 2826(A), (B), (D), (E), and (F), and to enact R.S. 36:254.1, relative to public health and safety; to provide for the transfer of authority from the Department of Environmental Quality to the Department of Health and Hospitals relative to the administering of the fund; to authorize the Department of Health and Hospitals to issue tax-exempt and/or taxable debt relative to the fund; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw

Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinot	
Total—103		

NAYS

Total—0

ABSENT

Downs	Walsworth
Total—2	

The Chair declared the above bill was finally passed.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### SENATE BILL NO. 475— BY SENATOR THOMAS

AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

Rep. Nevers moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Richmond

Beard	Hebert	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Nevers	
Total—100		

NAYS

Schneider  
Total—1

ABSENT

Downs	Quezaire
Hill	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

Rep. Nevers moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 873—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4880, relative to illegal dumping; to authorize the governing authority for the parish of Orleans to increase the fine for illegal dumping; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Karen Carter, the bill was returned to the calendar.

**SENATE BILL NO. 1041—**  
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:2440, relative to testaments; to provide for the continued validity of certain previously executed testaments; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Perkins
Alario	Glover	Peychaud
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Frige	Nevers	
Futrell	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Bruneau	Downs	Walsworth
Capella	Tucker	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Bruce, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**House Bills and Joint Resolutions on  
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Regular Calendar

#### HOUSE BILL NO. 939—

BY REPRESENTATIVES BRUCE, HOPKINS, L. JACKSON, AND  
MONTGOMERY AND SENATOR BEAN  
AN ACT

To enact R.S. 9:2796.2, relative to civil liability; to provide for the limitation of liability for activities sponsored by a nonprofit organization which operates an animal sanctuary; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Bruce moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Glover	Peychaud
Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Hebert	Pitre
Arnold	Hill	Powell
Baudoin	Honey	Quezaire
Beard	Hopkins	Richmond
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Diez	Landrieu	Swilling
Doerge	LeBlanc	Thompson
Downer	Lucas	Toomy
Downs	Martiny	Townsend
Durand	McDonald	Triche
Erdey	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinot	Wright
Gallot	Perkins	
Total—92		

#### NAYS

Bowler	Devillier
Total—2	

#### ABSENT

Baldone	Fannin	Romero
Baylor	Green	Schneider
Bruneau	Heaton	Tucker
Crane	Lancaster	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruce moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1108—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 37:3372(3), (9), (10), and (11), 3375(B), 3376(G)(2), 3379(A)(6), and 3383 and to enact R.S. 37:3372(12) and 3376(G)(3), relative to mental health professionals; to revise the qualifications to become a compulsive gambling counselor; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1108 by Representative Montgomery

#### AMENDMENT NO. 1

On page 5, line 12, after "B," delete the remainder of the line and on line 13, delete "board, but the board may employ other counsel."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. Montgomery moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinot
Alexander	Gallot	Perkins
Ansardi	Glover	Peychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Beard	Hebert	Powell
Bowler	Hill	Quezaire
Broome	Honey	Richmond
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Waddell



Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Wooton
Flavin	Morrish	
Frith	Murray	
Total—94		

NAYS

Schneider	Walker	Wright
Tucker	Winston	
Total—5		

ABSENT

Baylor	Fannin	Lancaster
Capella	Heaton	Romero
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1184—**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:67.18(D), relative to the crime of cheating and swindling; to authorize gaming licensees to detain a person suspected of committing the crime of cheating and swindling; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

On motion of Rep. Martiny, the bill was returned to the calendar.

**HOUSE BILL NO. 1610—**

BY REPRESENTATIVES SNEED, BRUNEAU, LANCASTER, AND SCALISE

AN ACT

To amend and reenact R.S. 18:402(F), 532.1(E)(2) and (3) and (G)(2)(e), 534(B), 536(A)(introductory paragraph), 1285(B)(1)(a), 1300(C)(1), 1400.3(A) and (B)(2), and 1400.4(A) and (B)(2), relative to election dates; to provide that bond, tax, or other elections at which a proposition or question is to be submitted to the voters must be held on certain dates; to provide exceptions; to eliminate certain dates on which such elections may be held; to eliminate the authority of the State Bond Commission to approve the conduct of any such election on any other date; to provide for the deadline for submission of notice of such an election to various officials; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Sneed sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Sneed to Engrossed House Bill No. 1610 by Representative Sneed

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:402(F)," delete the remainder of the line and delete line 3 and on line 4 before "relative to election" delete "1400.3(A) and (B)(2), and 1400.4(A) and (B)(2),"

AMENDMENT NO. 2

On page 1, line 13, after "R.S. 18:402(F)" delete the comma "," and delete the remainder of the line and delete line 14 and on line 15 before "hereby amended" delete "(B)(2), and 1400.4(A) and (B)(2) are" and insert "is"

AMENDMENT NO. 3

On page 2, delete lines 1 through 25 and insert the following:

"F. Bond, tax, or other elections. (1) Every In parishes with a population of fewer than one hundred thirty thousand persons according to the latest federal decennial census, every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

~~(1)(a)~~ The second to last Saturday in October or the fourth Saturday after the second to last Saturday in October of 1983 and every fourth year thereafter.

~~(2)(b)~~ The first Saturday in October or the first Tuesday after the first Monday in November of even-numbered years.

~~(3)(c)~~ The first Saturday in April or the fourth Saturday after the first Saturday in April of any year or on the second Tuesday in March or third Saturday in April during the presidential election year, if the statewide presidential preference primary election is scheduled on the second Tuesday in March of the presidential election year; ~~however, commencing in 1994 and every fourth year thereafter, the first Saturday in April shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.~~

~~(4)(d)~~ The third Saturday in October or the fourth Saturday after the third Saturday in October of 1985 and every fourth year thereafter.

~~(5)(e)~~ The third Saturday in January of any year; ~~the third Saturday in July of any year, which dates, in addition to the other dates provided for in this Subsection, shall be exclusively for elections on bonds, taxes, and other propositions or questions and for no other kind of election, except for a special election called to fill a vacancy in the office of state legislator; however, commencing in 1994 and every fourth year thereafter, the third Saturday in January shall not be applicable in a parish containing a municipality with a population of four hundred seventy-five thousand or more.~~

~~(6)~~ ~~For a parish containing a municipality with a population of four hundred seventy-five thousand or more, the first Saturday in February or the fourth Saturday after the first Saturday in February in 1986 and every fourth year thereafter.~~

~~(7) In case of an emergency, upon application to and approval by the State Bond Commission by two-thirds vote of its total membership, and with approval of the governor, the governing authority of a parish, of a municipality, or of a parish or city school board may conduct a bond or tax election on a Saturday which is not provided for in this Subsection.~~

(2) In parishes with a population of one hundred thirty thousand or more, every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on the fourth Saturday after the first Saturday in April of any year, except when the statewide presidential preference primary election is scheduled on the second Tuesday in March of the presidential election year, then such

## Page 50 HOUSE

26th Day's Proceedings - May 19, 2003

election shall be held only on the third Saturday in April during the presidential election year; on the day of the gubernatorial general election; or on the first Tuesday after the first Monday in November of an even-numbered year.

(3) Any election for the recall of a public officer or for any constitutional amendment shall be held on any of the dates contained in Paragraph (1) of this Subsection.

\* \* \*

### AMENDMENT NO. 4

On page 3, delete lines 22 through 26, and delete pages 5 through 8, and on page 9 delete lines 1 through 13

On motion of Rep. Sneed, the amendments were adopted.

Rep. Swilling sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Swilling to Engrossed House Bill No. 1610 by Representative Sneed

### AMENDMENT NO. 1

On page 9, after line 13, insert the following:

"Section 2. The provisions of HB 1610 shall not apply to any parish with co-boundaries contiguous to the municipal boundaries."  
Rep. Swilling moved the adoption of the amendments.

Rep. Sneed objected.

By a vote of 60 yeas and 34 nays, the amendments were adopted.

### **Motion**

Rep. Alario moved that the bill, as amended, be returned to the calendar.

Rep. Sneed objected.

By a vote of 65 yeas and 36 nays, the House returned the bill, as amended, to the calendar.

### **HOUSE BILL NO. 1806—**

BY REPRESENTATIVE TOOMY

### **AN ACT**

To enact R.S. 15:587.4, relative to criminal history records checks; to provide with respect to the authority of a municipal or parish fire department, a fire protection district, or a volunteer fire department to require such background checks; to provide for fees for processing such records checks; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Toomy sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Toomy to Engrossed House Bill No. 1806 by Representative Toomy

### AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 15:598 and to"

### AMENDMENT NO. 2

On page 1, line 8, after "Section 1." and before "R.S. 15:587.4" insert "R.S. 15:598 is hereby amended and reenacted and"

### AMENDMENT NO. 3

On page 2, delete line 3 in its entirety and insert in lieu thereof the following:

"(2) When a criminal history records check is requested pursuant to Paragraph 1 of this Subsection, the fire department shall be provided with state or national"

### AMENDMENT NO. 4

On page 2, line 4, after "information" and before "from" insert "or both"

### AMENDMENT NO. 5

On page 2, line 5, after "Information" delete the remainder of the line and delete line 6 in its entirety and insert in lieu thereof "and the Federal"

### AMENDMENT NO. 6

On page 2, line 10, after "Section." add the following:

"The Bureau of Criminal Identification and Information shall upon request and after receipt of fingerprint cards and other identifying information as required by the bureau from the fire department, make available to the fire department the information contained in the bureau's criminal history record and identification files, which pertains to the applicant. In addition, when the fire department requests national criminal history records checks, the bureau shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check."

### AMENDMENT NO. 7

On page 2, line 12, after "furnishing" delete the remainder of the line and insert in lieu thereof "information contained in the bureau's criminal history record and identification files, which pertains to the applicant. The additional cost of providing the national criminal history records check shall be charged by the bureau, and the fees shall be paid by the person"

### AMENDMENT NO. 8

On page 2, between lines 17 and 18, add the following:

"\* \* \*

### **§598. Criminal Identification and Information Fund**

All fees imposed and collected pursuant to R.S. 15:587 or any other provision of law in this Chapter shall be forwarded upon receipt to the state treasurer for immediate deposit into the state treasury. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required in this Section shall be

credited to a special fund hereby created in the state treasury designated as the Criminal Identification and Information Fund. All monies in this fund shall annually be appropriated by the legislature to the state police, may be withdrawn only pursuant to such appropriation, and shall be used solely and exclusively by the state police to assist in carrying out the provisions of this Chapter. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on the investment of monies shall be credited to this fund following compliance with the requirements of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund. All unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund."

On motion of Rep. Toomy the amendments were adopted.

Rep. Toomy moved final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardis	Glover	Pierre
Arnold	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Powell
Beard	Heaton	Quezaire
Bowler	Hebert	Richmond
Broome	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Scalise
Capella	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Doerge	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—102		

#### NAYS

Total—0

#### ABSENT

Baldone	Morrish	Walsworth
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Toomy moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 688—

BY REPRESENTATIVE PINAC

#### AN ACT

To amend and reenact R.S. 37:3286(A)(1)(d) and (e), (2)(a) and (b), and (3)(b), (c), (e), and (f) and to enact R.S. 37:3286(A)(3)(j) and (k), relative to fees assessed by the Louisiana State Board of Private Security Examiners; to provide for fees for baton instruction; to increase certain fees; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pinac moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Murray
Alario	Gallot	Odinot
Ansardi	Green	Peychaud
Arnold	Guillory	Pierre
Baldone	Hammett	Pinac
Baudoin	Heaton	Pitre
Baylor	Hebert	Quezaire
Broome	Honey	Richmond
Bruce	Hopkins	Salter
Carter, K	Hudson	Schwegmann
Carter, R	Hunter	Shaw
Cazayoux	Hutter	Smith, G.—56th
Crane	Iles	Smith, J.D.—50th
Crowe	Jackson, L	Smith, J.H.—8th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Stelly
Daniel	Kennard	Thompson
Dartez	Kenney	Toomy
Devillier	LaFleur	Townsend
Diez	Landrieu	Triche
Doerge	LeBlanc	Waddell
Downer	Lucas	Walker
Durand	Martiny	Welch
Fannin	McDonald	Wooton
Farrar	McVea	
Faucheux	Montgomery	
Flavin	Morrell	
Total—78		

#### NAYS

Alexander	Futrell	Scalise
Bowler	Hill	Schneider
Bruneau	Katz	Sneed
Capella	Nevers	Strain
Erdey	Powell	Tucker
Fruge	Romero	Winston
		Wright
Total—19		

#### ABSENT

Beard	Lancaster	Swilling
Downs	Morrish	Walsworth
Glover	Perkins	

## Page 52 HOUSE

26th Day's Proceedings - May 19, 2003

Total—8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 623—

BY REPRESENTATIVES THOMPSON, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR SMITH

#### AN ACT

To amend and reenact R.S. 3:4278.2, relative to timber sales; to provide relative to the removal of timber without consent of certain minority ownership interests; to require publication of advertisements and other notification; to provide for the commencement of harvesting timber; to provide for the rights of nonconsenting owners; to provide for evidence of violations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Thompson sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Engrossed House Bill No. 623 by Representatives Thompson, et al

#### AMENDMENT NO. 1

On page 1, at the end of line 11, insert "theft;"

#### AMENDMENT NO. 2

On page 4, line 24, after "evidence of" insert "the intent to commit theft of timber and"

On motion of Rep. Thompson, the amendments were adopted.

Rep. Thompson moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Green	Pierre
Alexander	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Cazayoux	Iles	Shaw
Crane	Jackson, L	Smith, G.—56th
Crowe	Jackson, M	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Katz	Smith, J.R.—30th

Daniel	Kennard	Sneed
Dartez	Kenney	Strain
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Fauchaux	Morrell	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinot	
Futrell	Perkins	

Total—97

NAYS

Total—0

ABSENT

Ansardi	Carter, R	Stelly
Beard	Glover	Swilling
Carter, K	Morrish	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1328—

BY REPRESENTATIVES PINAC AND NEVERS

#### AN ACT

To enact Chapter 24-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2181 through 2192, relative to licensing; to provide for licensing for persons who perform mold assessment and mold remediation services; to provide relative to the State Licensing Board for Contractors; to provide for a purpose and scope; to provide for definitions; to provide for the board's powers and duties; to provide for qualifications, applications, and fees; to provide for exceptions; to provide relative to written reports; to prohibit certain activities; to provide for license renewals; to provide for administrative actions and penalties; to provide for cease and desist orders and injunctive relief; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pinac sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Bill No. 1328 by Representative Pinac

#### AMENDMENT NO. 1

On page 6, delete line 12, and insert "expire on the thirty-first day of December of the year in which they are issued."

#### AMENDMENT NO. 2

On page 8, delete lines 7 and 8 and insert "shall annually, at each audit of the board, be transferred to a separate contractor's educational trust fund to be used for educational purposes"

On motion of Rep. Pinac, the amendments were adopted.

Rep. Devillier sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Devillier to Engrossed House Bill No. 1328 by Representative Pinac

#### AMENDMENT NO. 1

On page 5, between lines 21 and 22, insert the following:

"(6) Has submitted insurance certificates evidencing workers' compensation coverage in compliance with Title 23 of the Louisiana Revised Statutes of 1950 and liability insurance in a minimum amount of fifty thousand dollars.

C. An applicant shall furnish the board with a financial statement, current to within twelve months of the date of filing, prepared by an independent auditor and signed by the applicant and auditor before a notary public, stating the assets of the applicant, to be used by the board to determine the financial responsibility of the applicant to perform mold assessment or mold remediation services. Such assets shall include a net worth of at least ten thousand dollars. An applicant without the net worth required herein may furnish the board a bond, letter of credit, or other security acceptable to the board in the amount of such net worth requirement plus the amount of the applicant's negative net worth if any, and the furnishing of such bond, letter of credit, or other security shall be deemed satisfaction of such net worth requirement for all purposes."

#### AMENDMENT NO. 2

On page 5, at the beginning of line 22, change "C." to "D."

On motion of Rep. Devillier, the amendments were adopted.

Rep. Pinac moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baylor	Heaton	Powell
Bowler	Hebert	Quezaire
Broome	Hill	Richmond
Bruneau	Honey	Romero
Capella	Hopkins	Salter
Carter, K	Hudson	Schneider
Carter, R	Hunter	Schwegmann
Cazayoux	Hutter	Shaw
Crane	Iles	Smith, G.—56th
Crowe	Jackson, L	Smith, J.D.—50th
Curtis	Jackson, M	Smith, J.H.—8th
Damico	Johns	Smith, J.R.—30th
Daniel	Katz	Sneed
Dartez	Kennard	Strain

Devillier	Kenney	Swilling
Diez	LaFleur	Thompson
Doerge	Lancaster	Townsend
Downer	Landrieu	Triche
Downs	LeBlanc	Tucker
Durand	Lucas	Waddell
Erdey	Martiny	Walker
Fannin	McDonald	Walsworth
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wright
Frith	Murray	
Fruge	Nevers	

Total—97

#### NAYS

Total—0

#### ABSENT

Baudoin	Morrish	Toomy
Beard	Scalise	Wooton
Bruce	Stelly	

Total—8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 2008 (Substitute for House Bill No. 1676 by Representatives Kennard and Ansardi)— BY REPRESENTATIVES ANSARDI AND KENNARD AN ACT

To amend and reenact R.S. 13:3041, 3042, 3044, 3047, and 3106 and R.S. 23:965(A)(1) and to enact R.S. 13:3042.1 and 3050, relative to jury service; to provide for public policy; to provide for waivers of petit jury service; to provide for postponements of petit jury service; to provide for jury service by sessions ; to provide for frequency of service on juries; to provide for the Lengthy Trial Fund; to provide for applicability of certain provisions in Orleans Parish; to provide for the prohibition against dismissal of employees for jury service; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Ansardi sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 2008 by Representative Ansardi

#### AMENDMENT NO. 1

On page 7, between lines 11 and 12 insert "\*" \* \*

#### AMENDMENT NO. 2

On page 9, line 9, change "civil petit jurors and criminal petit jurors" to "civil petit juries and criminal petit juries"

On motion of Rep. Ansardi, the amendments were adopted.

## Page 54 HOUSE

26th Day's Proceedings - May 19, 2003

Rep. Ansardi sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 2008 by Representative Ansardi

#### AMENDMENT NO. 1

On page 1, line 2, change "3044, 3047" to "3044(C)"

#### AMENDMENT NO. 2

On page 1, at the end of line 5, delete "to provide"

#### AMENDMENT NO. 3

On page 1, at the beginning of line 6, delete "for jury service by session;"

#### AMENDMENT NO. 4

On page 1, line 12, change "3044, 3047" to "3044(C)"

#### AMENDMENT NO. 5

On page 5, between lines 6 and 7, insert "\* \* \*

#### AMENDMENT NO. 6

On page 5, delete lines 7 through 22 in their entirety

#### AMENDMENT NO. 7

Delete page 6 in its entirety

#### AMENDMENT NO. 8

On page 7, delete lines 1 and 2 in their entirety

#### AMENDMENT NO. 9

On page 7, delete lines 12 through 25 in their entirety and delete page 8 in its entirety

#### AMENDMENT NO. 10

On page 9, delete lines 1 through 3 in their entirety

#### AMENDMENT NO. 11

On page 10, line 25, after "3042.1," and before "3050" delete "3047,"

On motion of Rep. Ansardi, the amendments were adopted.

Rep. Ansardi moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Green	Psychaud
Ansardi	Guillory	Pierre
Arnold	Hammett	Pinac

Baldone	Heaton	Pitre
Baylor	Hebert	Powell
Beard	Hill	Quezaire
Bowler	Honey	Richmond
Broome	Hopkins	Romero
Bruneau	Hudson	Salter
Capella	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Crane	Jackson, L	Shaw
Crowe	Jackson, M	Smith, G.—56th
Curtis	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kennard	Smith, J.R.—30th
Dartez	Kenney	Sneed
Devillier	LaFleur	Stelly
Diez	Lancaster	Strain
Doerge	Landrieu	Swilling
Downer	LeBlanc	Thompson
Downs	Lucas	Toomy
Durand	Martiny	Townsend
Erdey	McDonald	Triche
Fannin	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—99		

#### NAYS

Cazayoux  
Total—1

#### ABSENT

Baudoin	Glover	Walsworth
Bruce	Tucker	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1944— BY REPRESENTATIVE MONTGOMERY AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1944 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, lines 3 and 13, following "(7)" and before "(e)" insert "(introductory paragraph) and"

On motion of Rep. Salter, the amendments were adopted.

Rep. Montgomery moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:  
YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Pitre
Alexander	Heaton	Powell
Ansardi	Hebert	Quezaire
Arnold	Hill	Richmond
Baldone	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Durand	McDonald	Waddell
Farrar	McVea	Walker
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Futrell	Murray	Wooton
Gallot	Odinot	Wright
Glover	Peychaud	
Green	Pierre	
Total—91		

NAYS

Fannin  
Total—2

ABSENT

Baudoin	Curtis	Katz
Baylor	Downs	Nevers
Beard	Erdey	Perkins
Crowe	Fruge	Scalise
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Thompson, the rules were suspended in order to take up House Concurrent Resolutions Returned from the Senate with Amendments at this time.

**House Concurrent Resolutions Returned from the Senate with Amendments**

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 95—**  
BY REPRESENTATIVE THOMPSON AND SENATOR THEUNISSEN  
A CONCURRENT RESOLUTION

To urge and request that the Board of Elementary and Secondary Education work with the Southern Regional Education Board on efforts to improve education in the delta region of Louisiana.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original House Concurrent Resolution No. 95 by Representative Thompson

**AMENDMENT NO. 1**

On page 1, line 2, before "Board" insert "State"

**AMENDMENT NO. 2**

On page 2, lines 11 and 15, before "Board" insert "State"

**AMENDMENT NO. 3**

On page 2, line 19, change "superintendent" to "president" and before "Board" insert "State"

On motion of Rep. Thompson, the amendments proposed by the Senate were concurred in.

**House Bills and Joint Resolutions Returned from the Senate with Amendments**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE BILL NO. 23—**  
BY REPRESENTATIVE ILES  
AN ACT

To name United States Highway 171, from the city of Lake Charles to the city of Shreveport, except for that portion named the Johnny B. Hall Memorial Highway, the Purple Heart Highway; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

## Page 56 HOUSE

26th Day's Proceedings - May 19, 2003

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 23 by Representative Iles

### AMENDMENT NO. 1

On page 1, line 4, between "Highway" and the comma "," insert the following:

"and that portion named the Martin Luther King, Jr. Boulevard"

### AMENDMENT NO. 2

On page 1, line 11, between "Legislature" and the comma "," insert the following:

"and that portion named the Martin Luther King, Jr. Boulevard in the city of Lake Charles by Act No. 474 of the 1982 Regular Session of the Legislature"

Rep. Iles moved that the amendments proposed by the Senate be concurred in.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—104		

#### **NAYS**

Total—0

### **ABSENT**

Glover  
Total—1

The amendments proposed by the Senate were concurred in by the House.

### **HOUSE BILL NO. 44—**

BY REPRESENTATIVE STRAIN

### **AN ACT**

To name a portion of U.S. Highway 190 in St. Tammany Parish the Ronald Reagan Highway; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 44 by Representative Strain

### AMENDMENT NO. 1

On page 1, line 2, after "Parish" insert "and in East Baton Rouge Parish"

### AMENDMENT NO. 2

On page 1, line 7, delete "is" and insert the following:

"and that portion of U.S. Highway 190 in East Baton Rouge Parish, from the Mississippi River to the Livingston Parish line, are"

Rep. Strain moved that the amendments proposed by the Senate be concurred in.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend



Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, K	Green	Peychaud
Glover	Morrell	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 826—**

BY REPRESENTATIVE DEWITT

AN ACT

To authorize and provide for the transfer of certain state property in Rapides Parish to the England Economic & Industrial Development District; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 826 by Representative Dewitt

**AMENDMENT NO. 1**

On page 5, delete lines 17 and 18 in their entirety and insert in lieu thereof the following:

"between the commissioner of the division of administration and the executive director of the England Economic and Industrial Development District in exchange for consideration proportionate to the value of the properties. The state, if conveying title to the property, shall reserve to the state all of the mineral rights and minerals in accordance with law."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed House Bill No. 826 by Representative Dewitt

**AMENDMENT NO. 1**

Delete all Senate Committee Amendments proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 12, 2003.

Rep. Farrar moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Frue	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Bruneau	Glover
Total—2	

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 948—**

BY REPRESENTATIVES THOMPSON, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 14:212(A), relative to false statements concerning transactions involving forestry products; to prohibit making false statements with regard to ownership interests in, the tract name of, or the property description of, land on which forest products are harvested; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

## Page 58 HOUSE

26th Day's Proceedings - May 19, 2003

Conforming Amendments proposed by Senator Barham to Engrossed House Bill No. 948 by Representative Thompson (Duplicate of Senate Bill No. 333)

### AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert in lieu thereof the following:

"offenses against property; to provide that willfully or knowingly making false statements relative to the ownership interest, tract name or property description of forest products during a transaction is a crime; to provide criminal penalties therefor;"

### AMENDMENT NO. 2

On page 1, line 14, between "ownership" and "or" delete "of"

### AMENDMENT NO. 3

On page 1, line 15, between "interest" and "the forest" change "in" to "of"

### AMENDMENT NO. 4

On page 1, line 15, between "ownership" and "or" delete "of"

### AMENDMENT NO. 5

On page 1, line 16, change "interest in" to "interest or tract name of"

### AMENDMENT NO. 6

On page 1, line 16, after "harvested," delete "with"

### AMENDMENT NO. 7

On page 2, delete line 1 in its entirety.

### AMENDMENT NO. 8

On page 2, line 2, change "harvested," to "or"

### AMENDMENT NO. 9

On page 2, line 2, after "land" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof the following:

"and property description of"

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond

Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—105		

NAYS

Total—0

ABSENT

Total—0

The amendments proposed by the Senate were concurred in by the House.

### **HOUSE BILL NO. 1226—**

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH  
AN ACT

To amend and reenact R.S. 3:264(B)(introductory paragraph), 266(19), 314(C), 414, 446.5(G), 543(C), 544(B)(5), 1604(A)(3), 3391.5(A), and 4402(A), R.S. 15:1153(B)(2)(d), and R.S. 49:327.1(N), 327.2(P), and 968(B)(18), relative to the House and Senate agriculture committees; to change various statutes to provide for the House and Senate Committees on Agriculture, Forestry, Aquaculture and Rural Development; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

### SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Smith to Reengrossed House Bill No. 1226 by Representative Thompson (Duplicate of Senate Bill No. 415)

### AMENDMENT NO. 1

On page 2, line 26, delete "beginning on or before March 1,"

### AMENDMENT NO. 2

On page 3, line 1, delete "1991, and" and delete "thereafter"

### AMENDMENT NO. 3

On page 7, line 8, delete "and forestry"

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

### ROLL CALL

The roll was called with the following result:  
YEAS

Mr. Speaker	Frith	Murray
Alario	Fruge	Nevers
Alexander	Futrell	Odinot
Ansardi	Gallot	Perkins
Arnold	Glover	Peychaud
Baldone	Green	Pierre
Baudoin	Guillory	Pinac
Baylor	Hammitt	Pitre
Beard	Heaton	Powell
Bowler	Hebert	Quezaire
Broome	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Total—102		

NAYS

Total—0

ABSENT

Richmond	Scalise	Walsworth
Total—3		

The amendments proposed by the Senate were concurred in by the House.

### HOUSE BILL NO. 1530—

BY REPRESENTATIVES THOMPSON, KENNEY, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, MORRISH, JACK SMITH, AND STRAIN

### AN ACT

To amend and reenact R.S. 3:1614(C) and 1617(A) and to enact R.S. 3:1614(D), relative to cotton; to provide for the holding of referendums to terminate or modify boll weevil assessments; to provide relative to liens on cotton for payment of assessment; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1530 by Representative Thompson

#### AMENDMENT NO. 1

In Senate Floor Amendment No. 1 proposed by Senator Ellington and adopted by the Senate on May 5, 2003, change "the effective date" to "the effective date of"

#### AMENDMENT NO. 2

Delete Senate Floor Amendments No. 6 and 7 proposed by Senator Ellington and adopted by the Senate on May 5, 2003

#### AMENDMENT NO. 3

In Senate Floor Amendment No. 10 proposed by Senator Ellington and adopted by the Senate on May 5, 2003, on page 2, line 2, following "for" delete the remainder of the line

### SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Ellington to Engrossed House Bill No. 1530 by Representative Thompson (Duplicate of Senate Bill No. 838)

#### AMENDMENT NO. 1

On page 2, line 8, delete "the effective date"

#### AMENDMENT NO. 2

On page 2, line 9, between "elimination" and "shall" insert the following:

"of assessments taking effect"

#### AMENDMENT NO. 3

On page 2, line 15, delete "(1)"

#### AMENDMENT NO. 4

On page 2, line 16, change "and" to "which"

#### AMENDMENT NO. 5

On page 2, line 17, delete "such lien"

#### AMENDMENT NO. 6

On page 2, line 18, between "taxes" and "provided" insert the following:

"in favor of the state"

#### AMENDMENT NO. 7

On page 2, line 18, delete "that"

#### AMENDMENT NO. 8

On page 2, delete lines 18 through 25 in their entirety and insert in lieu thereof the following:

## Page 60 HOUSE

26th Day's Proceedings - May 19, 2003

"taxes in favor of the state, provided notification of: (1) the name and address of each cotton producer subject to an assessment within fifteen days after determination thereof, (2) the imposition of any penalty and the name and address of the cotton producer subject thereto within ten days after the determination thereof, and (3) the date and location of any proposed execution or"

### AMENDMENT NO. 9

On page 3, delete line 1 in its entirety.

### AMENDMENT NO. 10

On page 3, delete lines 4 through 11 in their entirety and insert in lieu thereof the following:

"disposition of the cotton, have been properly filed and maintained in accordance with the central registry provisions of R.S. 3:3651 et seq., and any secured party of any cotton producer has been notified by the commissioner of all actions described in (2) and (3) above by registered or certified mail, return receipt requested, within said delays. The commissioner is authorized to issue executions for the collections:

### AMENDMENT NO. 11

On page 3, line 12, delete "a"

### AMENDMENT NO. 12

On page 3, line 14, change "his" to "their"

### AMENDMENT NO. 13

On page 3, delete lines 16 through 22 in their entirety and insert in lieu thereof the following:

"and to make their return thereof to the commissioner in like manner as such tax executions are levied and return thereof made to parish tax collectors and tax commissioners; however, the commissioner shall be authorized to levy and collect his own executions. The commissioner may enforce the lien on cotton in the manner provided by law for enforcement of liens."

### AMENDMENT NO. 14

On page 3, below line 23, add the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1530 by Representative Thompson

### AMENDMENT NO. 1

On page 1, delete lines 15 through 17 and insert "referendums, to"

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

### **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	LaFleur	Swilling
Darte	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—102		

### **NAYS**

Martiny  
Total—1

### **ABSENT**

Glover  
Total—2  
Kenney

The amendments proposed by the Senate were concurred in by the House.

### **Suspension of the Rules**

On motion of Rep. LaFleur, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

### **House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

### **HOUSE CONCURRENT RESOLUTION NO. 155 (Substitute for House Concurrent Resolution No. 53 by Representative LaFleur)—** BY REPRESENTATIVE LAFLEUR

#### **A CONCURRENT RESOLUTION**

To amend the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors rule

(LAC 46:LXI.105(A)), which includes a definition of the phrase "practice of land surveying", by adding a Paragraph (e) to such definition; to authorize owners of agricultural land or their employees to prepare their own topographical maps for certain specified purposes; and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Read by title.

Rep. LaFleur moved the adoption of the resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Fruge	Perkins	Wright
Total—99		

#### NAYS

Erdey  
Total—1

#### ABSENT

Bowler	Glover	Morrish
Frith	Lancaster	
Total—5		

The resolution was adopted.

Ordered to the Senate.

### Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 49— BY SENATOR HINES

##### A CONCURRENT RESOLUTION

To establish the Louisiana Diabetes Advisory Council as the entity that will provide statewide leadership to prevent diabetes, strive to continuously improve the lives of all Louisianians affected by diabetes mellitus, and reduce the burden of the disease.

Read by title.

Rep. Walker moved the concurrence of the resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Nevers
Alario	Fruge	Odinet
Alexander	Futrell	Perkins
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Total—102		

#### NAYS

Total—0

#### ABSENT

Morrell	Psychaud	Walsworth
Total—3		

The resolution was concurred in.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Regular Calendar

#### Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended in order to call from the calendar Senate Bill No. 466 at this time.

#### SENATE BILL NO. 466—

BY SENATOR HOLLIS

#### AN ACT

To repeal R.S. 6:829, relative to savings and loan association investments; to repeal the restriction on investments in non-liquid assets; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pinac moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—105

#### NAYS

Total—0

#### ABSENT

Total—0

The Chair declared the above bill was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended in order to call from the calendar Senate Bill No. 493 at this time.

#### SENATE BILL NO. 493—

BY SENATOR HOLLIS

#### AN ACT

To amend and reenact R.S. 6:822(2)(r), relative to loans and investments by associations; to increase the percentage of assets of associations of which loans entered into by the association may not exceed; and to provide for related matters.

Called from the calendar.

Read by title.

#### Motion

On motion of Rep. Pinac, the bill was returned to the calendar.

#### Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended in order to call from the calendar Senate Bill No. 495 at this time.

#### SENATE BILL NO. 495—

BY SENATORS HOLLIS AND HEITMEIER

#### AN ACT

To repeal R.S. 6:124.1(B), relative to financial condition statements; to delete certain requirements from financial condition statements regarding community reinvestment ratings; and to provide for related matters.

Called from the calendar.

Read by title.

#### Motion

On motion of Rep. Pinac, the bill was returned to the calendar.

#### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

#### Message from the Senate

#### SENATE BILLS

May 19, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 106, 114, 257, 310, 357, 483, 749, and 787

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Welch, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 106— BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a retail business may not require or obtain certain personal information for certain transactions; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 114— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 257— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), and to enact R.S. 40:1299.41(A)(21), relative to the Medical Malpractice Act; to include extracorporeal therapist in the definition of a "health care provider"; to provide for the definition of "extracorporeal therapist"; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 310— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:1267 and to enact R.S. 37:1285.1, relative to the Louisiana State Board of Medical Examiners; to provide for hearing panels; to provide for a written report to the board; to provide for an effective date; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 357—

BY SENATORS MCPHERSON, BAJOEI AND SCHEDLER  
AN ACT

To enact R.S. 40:16.1, relative to the procedure for the sale or lease of state-owned facilities; to provide for the dedication of the proceeds of the sale of mental health facilities; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 483— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 43:111(A)(9) and R.S. 51:1319(A)(2) and (B)(5) and to enact R.S. 43:111(A)(10) and R.S. 51:1319(B)(6), relative to authorization for advertising within the Louisiana Retirement Development Commission; to provide relative to authorization for the commission to develop guidelines to award a "Livable Louisiana Retirement Ready Community" seal of approval; to provide relative to authorization for the commission to purchase, print, and distribute advertisements, informational publications, and other promotional materials to promote Louisiana as a retirement state; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 749—

BY SENATOR HAINKEL AND REPRESENTATIVE HEATON  
AN ACT

To enact R.S. 25:318, relative to development funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide for duties and authorities of the Louisiana Economic Development Corporation; to establish and provide with respect to a program for development and promotion of certain music enterprises; to provide for rulemaking; to provide funding qualification requirements; to provide for annual reports; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 787— BY SENATOR MICHOT

AN ACT

To amend and reenact the introductory paragraph of R.S. 44:3(A), relative to public records; to prohibit disclosure of certain records for utility systems owned and operated by political subdivisions; and to provide for related matters.

Read by title.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE CONCURRENT RESOLUTION NO. 157— BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study the implementation of a one-day, one-trial system for petit juries.

Read by title.

Lies over under the rules.

## Page 64 HOUSE

26th Day's Proceedings - May 19, 2003

### **HOUSE CONCURRENT RESOLUTION NO. 158—**

BY REPRESENTATIVE STRAIN

#### **A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to install a traffic signal or three-way stop signs on Louisiana Highway 437 at its intersection with Louisiana Highway 40.

Read by title.

On motion of Rep. Strain, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 159—**

BY REPRESENTATIVE JOHNS

#### **A CONCURRENT RESOLUTION**

To commend Professor William E. Crawford upon his twenty-fifth year as Director of the Louisiana State Law Institute and to express appreciation for his years of service.

Read by title.

On motion of Rep. Johns, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### **Reports of Committees**

The following reports of committees were received and read:

#### **Report of the Committee on Appropriations**

May 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 88, by Strain  
Reported with amendments. (11-0) (Regular)

House Bill No. 96, by Strain  
Reported with amendments. (12-0) (Regular)

House Bill No. 583, by Farrar (Joint Resolution)  
Reported with amendments. (11-0)

House Bill No. 637, by LeBlanc (Joint Resolution)  
Reported favorably. (12-0)

House Bill No. 844, by Farrar  
Reported with amendments. (15-1) (Regular)

House Bill No. 1100, by Thompson  
Reported with amendments. (16-0) (Regular)

House Bill No. 1140, by Triche  
Reported with amendments. (12-0) (Regular)

House Bill No. 1199, by LeBlanc  
Reported with amendments. (12-0) (Regular)

House Bill No. 1492, by Montgomery  
Reported with amendments. (12-0) (Regular)

House Bill No. 1756, by Peychaud

Reported with amendments. (13-0) (Regular)

House Bill No. 1758, by Winston  
Reported favorably. (12-0) (Regular)

House Bill No. 1819, by Walsworth  
Reported favorably. (12-0) (Regular)

Senate Bill No. 214, by Dupre (Joint Resolution)  
Reported with amendments. (12-0)

Senate Bill No. 568, by Dupre  
Reported with amendments. (12-0) (Regular)

JERRY LUKE LEBLANC  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### **Report of the Committee on Civil Law and Procedure**

May 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 35, by Toomy (Joint Resolution)  
Reported without amendments. (6-0) (Regular)

House Bill No. 140, by Ansardi  
Reported with amendments. (8-0) (Regular)

House Bill No. 543, by Daniel  
Reported favorably. (6-0) (Regular)

House Bill No. 547, by Fauchaux (Joint Resolution)  
Reported without amendments. (6-0) (Regular)

House Bill No. 594, by Scalise (Joint Resolution)  
Reported without amendments. (6-0) (Regular)

House Bill No. 1255, by Peychaud  
Reported favorably. (6-0) (Regular)

House Bill No. 1543, by Bowler  
Reported with amendments. (7-0) (Regular)

House Bill No. 1544, by Bowler  
Reported favorably. (7-0) (Regular)

House Bill No. 1546, by Bowler  
Reported by substitute. (8-0) (Regular)

House Bill No. 1634, by Capella  
Reported with amendments. (6-0) (Regular)

House Bill No. 1637, by Capella  
Reported with amendments. (8-0) (Regular)

House Bill No. 1667, by Capella  
Reported with amendments. (7-0) (Regular)

House Bill No. 1854, by Bowler  
Reported with amendments. (6-1) (Regular)

House Bill No. 1931, by Cazayoux  
Reported with amendments. (7-0) (Regular)

House Bill No. 1934, by Baldone



Reported favorably. (6-0) (Regular)

RONNIE JOHNS  
Chairman

**Report of the Committee on Commerce**

May 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 107, by Welch  
Reported with amendments. (12-0) (Regular)

House Bill No. 335, by Pinac  
Reported favorably. (9-0) (Regular)

House Bill No. 515, by Pinac  
Reported favorably. (11-0) (Regular)

House Bill No. 684, by Pinac  
Reported favorably. (13-0) (Regular)

House Bill No. 1190, by Pinac  
Reported with amendments. (12-0) (Regular)

House Bill No. 1791, by Townsend  
Reported favorably. (13-0) (Regular)

House Bill No. 1864, by Frith  
Reported favorably. (10-0) (Regular)

House Bill No. 1910, by Futrell  
Reported with amendments. (12-0) (Regular)

GIL J. PINAC  
Chairman

**Report of the Committee on  
Transportation, Highways and Public Works**

May 19, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Concurrent Resolution No. 127, by Winston  
Reported with amendments. (9-0-1)

House Concurrent Resolution No. 144, by Salter  
Reported with amendments. (9-0-1)

House Bill No. 29, by Salter  
Reported favorably. (9-0-1) (Regular)

House Bill No. 1124, by Hammett  
Reported favorably. (9-0-1) (Regular)

House Bill No. 1315, by Triche  
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1348, by Pitre  
Reported favorably. (11-0-1) (Regular)

House Bill No. 1406, by Romero  
Reported with amendments. (13-0-1) (Regular)

House Bill No. 1514, by Powell  
Reported favorably. (12-0-1) (Regular)

House Bill No. 1587, by Walsworth  
Reported with amendments. (11-0-1) (Regular)

House Bill No. 1671, by Quezaire  
Reported with amendments. (12-0-1) (Regular)

House Bill No. 1979, by Frith  
Reported with amendments. (9-0-1) (Regular)

Senate Concurrent Resolution No. 51, by Chaisson  
Reported favorably. (9-0-1)

Senate Bill No. 100, by Cain  
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 101, by Cain  
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 144, by Romero  
Reported favorably. (10-3-1) (Regular)

Senate Bill No. 172, by Marionneaux  
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 208, by Marionneaux  
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 339, by Irons  
Reported favorably. (10-3-1) (Regular)

Senate Bill No. 1043, by Cain  
Reported favorably. (11-0-1) (Regular)

Senate Bill No. 1106, by Thomas  
Reported favorably. (9-0-1) (Regular)

JOHN C. DIEZ  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**Motion**

On motion of Rep. Fauchaux, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 1071.

**HOUSE BILL NO. 1071—  
BY REPRESENTATIVE FAUCHEUX  
AN ACT**

To enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 531, relative to slot machine gaming at a live harness standard-bred horse racing facility in St. John the Baptist Parish; to authorize slot machine

gaming at the facility; to provide for public policy; to provide for definitions; to provide for the powers of the Louisiana State Racing Commission; to provide requirements for slot machines; to provide for the conducting of slot machine gaming; to provide for the temporary conducting of slot machine gaming; to provide with respect to licensing; to provide suitability criteria; to provide for conditions of licensing; to provide for the term of a license issued to conduct slot machine gaming; to provide with respect to the regulatory authority of the Louisiana Gaming Control Board; to provide for the regulatory authority of the gaming division, office of state police; to provide for gaming at the facility; to provide for limitations on the designated slot machine gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to prohibit allowing persons under twenty-one years of age to play slot machines; to provide for the illegal operation of a slot machine without a license; to provide with respect to illegal lottery devices; to require the posting of certain information regarding assistance for compulsive gambling; to provide for the calling and conducting of a referendum election in St. John the Baptist Parish regarding slot machine gaming; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Fauchaux, the bill was withdrawn from the files of the House.

### Motion

On motion of Rep. Fauchaux, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 1292.

### HOUSE BILL NO. 1292—

BY REPRESENTATIVE FAUCHEUX

### AN ACT

To enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 535, relative to slot machine gaming at an eligible motorsports facility in St. John the Baptist Parish; to provide for applicability; to provide for definitions; to provide for public policy; to provide for the procedure for licensing of slot machine gaming at the motorsports facility; to provide for the issuance of a preliminary license to conduct slot machine gaming; to provide for local governing authority certification and approval of proposed slot machine gaming; to provide suitability criteria for licensing; to provide criteria for the eligible motorsports facility; to require race dates for the continued authority to conduct slot machine gaming; to provide conditions with respect to licensing; to provide for the construction and approval of the eligible motorsports facility; to provide for the construction and approval of the slot machine gaming facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide relative to prohibiting the operation of both video draw poker devices and slot machines at the eligible motorsports facility; to provide limitations on the designated slot machine gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for the posting of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Fauchaux, the bill was withdrawn from the files of the House.

## Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

### Motion

On motion of Rep. Martiny, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Bill No. 383.

### SENATE BILL NO. 383—

BY SENATOR SCHEDLER

### AN ACT

To amend and reenact Children's Code Art. 603(13)(b), and Code of Evidence Art. 511(A)(1), relative to children in need of care; to provide for mandatory reporting by a member of the clergy; to provide for a confidential communication exception to the mandatory reporter designation; to provide for the definition of a clergyman; and to provide for related matters.

Read by title.

On motion of Rep. Martiny, the bill was recommitted to the Committee on Administration of Criminal Justice.

### SENATE BILL NO. 957—

BY SENATORS CRAVINS, BAJOE, C. JONES, LENTINI, MICHOT, MOUNT, BOISSIERE, HOLLIS, CHAISSON, FIELDS, HOLDEN, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, THOMAS, ADLEY, BARHAM, CAIN, DARDENNE, DEAN, DUPRE, ELLINGTON, GAUTREAUX, HEITMEIER, HINES, HOYT, JOHNSON, LAMBERT, MALONE, MCPHERSON, ROMERO, SMITH AND ULLO AND REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND AND WELCH

### AN ACT

To amend and reenact R.S. 46:2601(A)(1) and 2603(A) and (B)(2), to enact Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, and R.S. 46:2605.1, 2605.2, 2605.3, and 2605.4, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to juvenile justice; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; and to provide for related matters.

Called from the calendar.

Read by title.

On motion of Rep. Landrieu, the bill was referred to the Committee on Judiciary.

### Privileged Report of the Committee on Enrollment

May 19, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

#### HOUSE RESOLUTION NO. 17— BY REPRESENTATIVE SALTER

##### A RESOLUTION

To urge and request the House Committee on Commerce to study the regulation of landscape irrigation systems and the possibility of licensing persons who install certain systems in order to protect the public health, safety, and welfare, and to report the findings of the committee to the House of Representatives prior to the convening of the 2004 Regular Session.

#### HOUSE RESOLUTION NO. 42— BY REPRESENTATIVE MONTGOMERY

##### A RESOLUTION

To allow the Louisiana State Racing Commission additional time to study the feasibility, practicality, and impact of licensing additional racing facilities to conduct live horse racing within the boundaries of the state, specifically considering the potential legal and economic ramifications of such additions.

#### HOUSE RESOLUTION NO. 61— BY REPRESENTATIVE BEARD

##### A RESOLUTION

To commend teacher Brent Beatty and his students at Woodlawn High School for their active involvement in the governmental process.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### Privileged Report of the Committee on Enrollment

May 19, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

#### HOUSE BILL NO. 98 (Duplicate of Senate Bill No. 7)— BY REPRESENTATIVE JOHN SMITH AND SENATOR THEUNISSEN AND COAUTHORED BY REPRESENTATIVES DOWNER, MCDONALD, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNARD, NEVERS, POWELL, JANE SMITH, SWILLING, AND THOMPSON AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to Tuition Opportunity Program for Students; to provide for the time period in which a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent

change of station orders must change his military records to establish Louisiana as his official state of legal residence in order for a dependent child to be eligible for an award; to provide for an effective date; and to provide for related matters.

#### HOUSE BILL NO. 449 (Duplicate of Senate Bill No. 387)— BY REPRESENTATIVE TRICHE AND SENATOR SCHEDLER AN ACT

To amend and reenact R.S. 46:236.1(I)(2), relative to child support; to provide for the collection of past due support from federal tax refunds; and to provide for related matters.

#### HOUSE BILL NO. 1004— BY REPRESENTATIVE DIEZ AND SENATOR LAMBERT AN ACT

To amend and reenact R.S. 29:27(B)(introductory paragraph) and (1) and to repeal R.S. 17:157(C) and R.S. 47:820.5(A), relative to tolls on the Sunshine Bridge; to repeal the tolls on the Sunshine Bridge; to repeal certain exemptions from the tolls on the Sunshine Bridge; and to provide for related matters.

#### HOUSE BILL NO. 1005— BY REPRESENTATIVE SCHWEGMANN AN ACT

To enact Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.71, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Louisiana Animal Welfare Commission; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

#### HOUSE BILL NO. 1036— BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM AN ACT

To amend and reenact R.S. 47:1519(B), relative to the payment of taxes by electronic funds transfer; to authorize the secretary of the Department of Revenue to require electronic funds transfer for certain taxpayers; to provide for a date of delivery; to provide for an effective date; and to provide for related matters.

#### HOUSE BILL NO. 1041— BY REPRESENTATIVES CAZAYOUX AND BRUCE AN ACT

To enact R.S. 39:1786(A)(10), relative to the powers of the Louisiana Correctional Facilities Corporation; to authorize the corporation to alienate or sell any properties acquired by the corporation but which have not been used for the purposes of financing and acquisition of correctional facilities for lease to the state of Louisiana; to provide for an effective date; and to provide for related matters.

#### HOUSE BILL NO. 1183 (Duplicate of Senate Bill No. 786)— BY REPRESENTATIVE PINAC AND SENATOR MICHOT AND COAUTHORED BY REPRESENTATIVES ALEXANDER, BAUDOIN, BROOME, BRUCE, DANIEL, DURAND, FLAVIN, PIERRE, WALSWORTH, CROWE, DEVILLIER, FANNIN, FRITH, SCHWEGMANN, GARY SMITH, AND GLOVER AND SENATORS CRAVINS AND HOYT AN ACT

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.21 through 844.25, relative to an information and referral system; to provide for the authority of the Public Service Commission, to create a planning board to make recommendations to the commission, to provide for the requirements of the system and procedure for its planning, implementation, operation, and associated costs; and to provide for related matters.

---

## Page 68 HOUSE

26th Day's Proceedings - May 19, 2003

---

### **HOUSE BILL NO. 1191 (Duplicate of Senate Bill No. 745)—**

BY REPRESENTATIVE DURAND AND SENATOR SMITH

#### **AN ACT**

To amend and reenact R.S. 14:67.1 and to repeal R.S. 14:67.4 and 67.5, relative to theft; to provide for the crime of theft of livestock; to provide for criminal intent; to provide for criminal penalties; to provide for presumptive evidence and affirmative defenses; to define "livestock"; and to provide for related matters.

### **HOUSE BILL NO. 1623—**

BY REPRESENTATIVES LEBLANC, LANCASTER, MURRAY, FAUCHEUX, THOMPSON, AND RICHMOND

#### **AN ACT**

To enact Chapter 8-B of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1400.21, relative to special treasury funds; to establish the Help Louisiana Vote Fund as a special fund in the state treasury; to establish accounts within the fund for certain purposes; to provide for deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

### **Suspension of the Rules**

On motion of Rep. Johns, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Tuesday, May 20, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 105, 437, 521, 542, 551, 628, 636, 655, 679, 1051, 1884, and 1896

Senate Bill No. 64

### **Suspension of the Rules**

On motion of Rep. Damico, the rules were suspended to permit the Committee on Environment to meet on Tuesday, May 20, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 402 and 577

### **Suspension of the Rules**

On motion of Rep. Diez, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to meet on Tuesday, May 20, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 976, 1339, 1876, 1879, and 1915

Senate Bill Nos. 261, 323, 583, 621, and 1093

Senate Concurrent Resolution No. 63

### **Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, May 20, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 85, 209, 425, and 926

### **Adjournment**

On motion of Rep. Kenney, at 5:45 P.M., the House agreed to adjourn until Tuesday, May 20, 2003, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, May 20, 2003.

ALFRED W. SPEER  
Clerk of the House

